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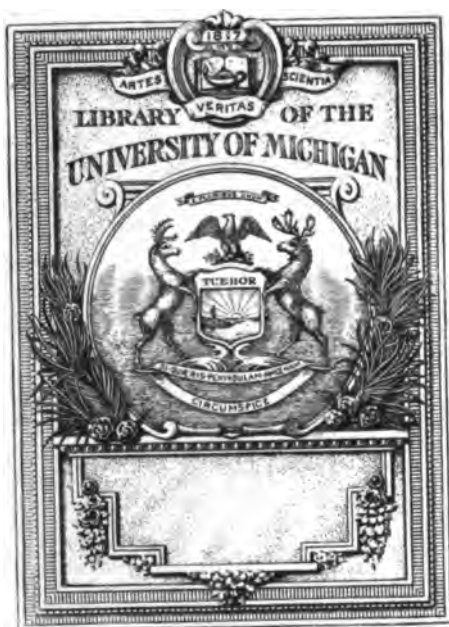
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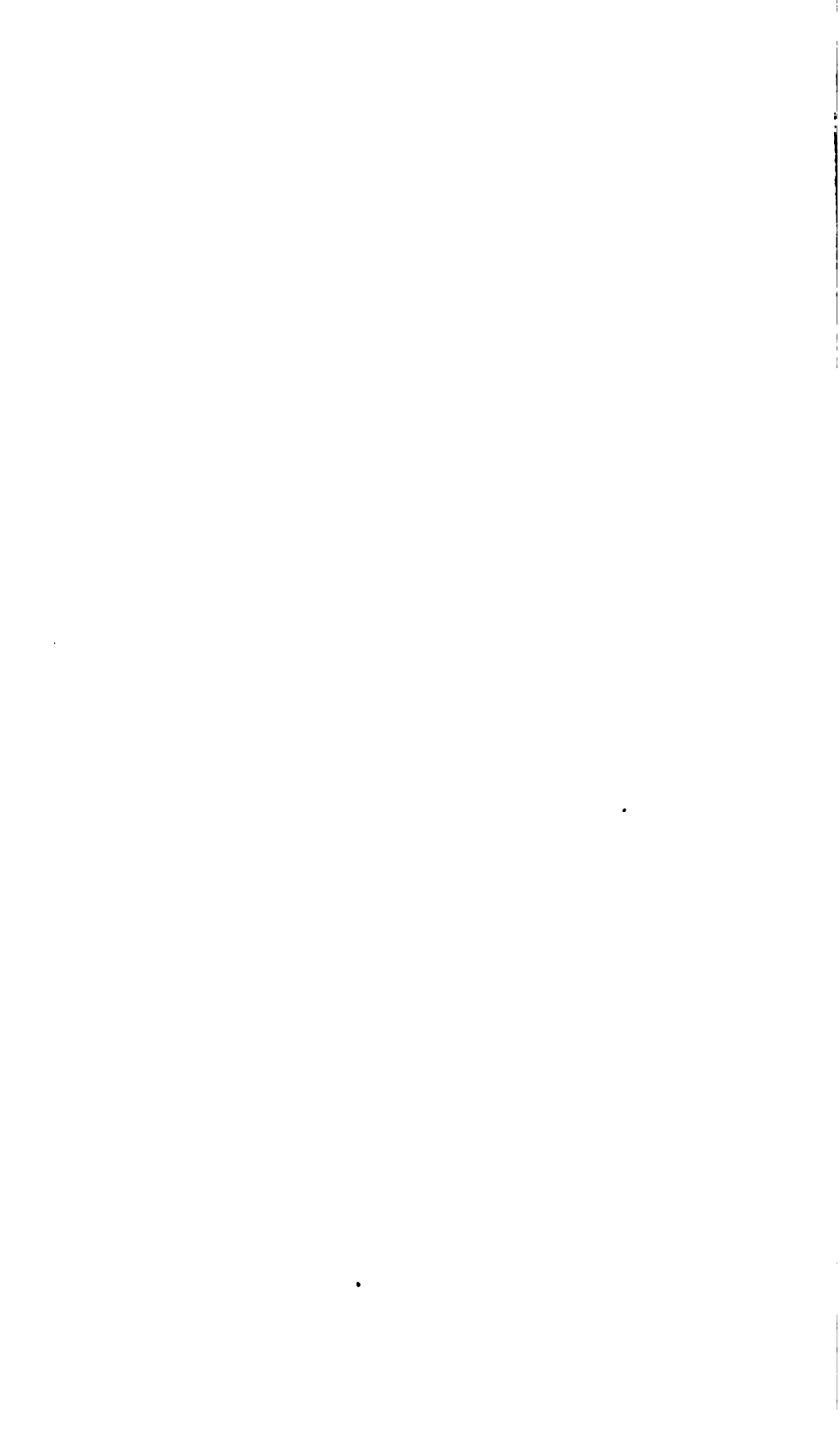
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THE  
HISTORY  
OF  
ENGLAND,  
FROM THE  
ACCESSION TO THE DECEASE  
OF  
KING GEORGE THE THIRD.



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BY JOHN ADOLPHUS, ESQ.

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VOL. II.

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# PREFACE

TO

## THE SECOND VOLUME.

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I THINK it necessary to introduce this volume by a few words of observation. Its appearance has been delayed much more than I could reasonably have expected; but the cause has been a laborious research in the State-paper Office, for materials to render the work more correct.

An error in the first volume, p. 180, has been pointed out to me: I have said that Mr. Pratt, Chief Justice of the Common Pleas, was made a peer by the title of *Earl* Camden; he was created a *Baron*, and did not attain the higher title till 1786.

While that volume was in the press, a pamphlet on the subject of Falkland's Islands was published by Mr. L. B. Mackinnon, describing them in 1838 and 1839, with a climate, possibilities of commercial and agricultural advantages, and productions both vegetable and animal, very different from those which, relying on the best authorities, I had attributed to them. How much the aspect of this territory may have been changed in a period of seventy years is not worth much inquiry; but it is important to ascertain that, as we did not enter into the contest with Spain without abundant cause, we did not relinquish it without ample satisfaction, and did not tarnish our honour by any clandestine compact to renounce the territory for which we had been contending.

Dr. Johnson was perfectly right in maintaining that Falkland's Islands, as a possession, were not worth the hazard and cost of a war; but, as a point of honour, a much less object would have been a justification. Our honourable feelings were fully appeased by the

cession of the territory and the disavowal of Buccarelli's proceedings; to have required his punishment in any form, would have been a degrading display of vindictiveness.

But the point most insisted on, is a secret covenant, that the place should be evacuated by Great Britain, when her honour had been appeased by the surrender. This fiction was promulgated by the influence of party at the time of the dispute; but its value may be ascertained from a communication of Lord Rochford to Mr. Harris (8th March 1771), after the final arrangement had been made. "The Spanish ambassador," he says, "has *pressed to have some hopes given him* of our agreeing to a mutual abandoning of Falkland's Islands. "I replied, that the restitution must precede every discourse relating to them. Grimaldi is much out of credit and out of temper about this affair: he is equally reproached for rashness in beginning, and pusillanimity in ending the contest."

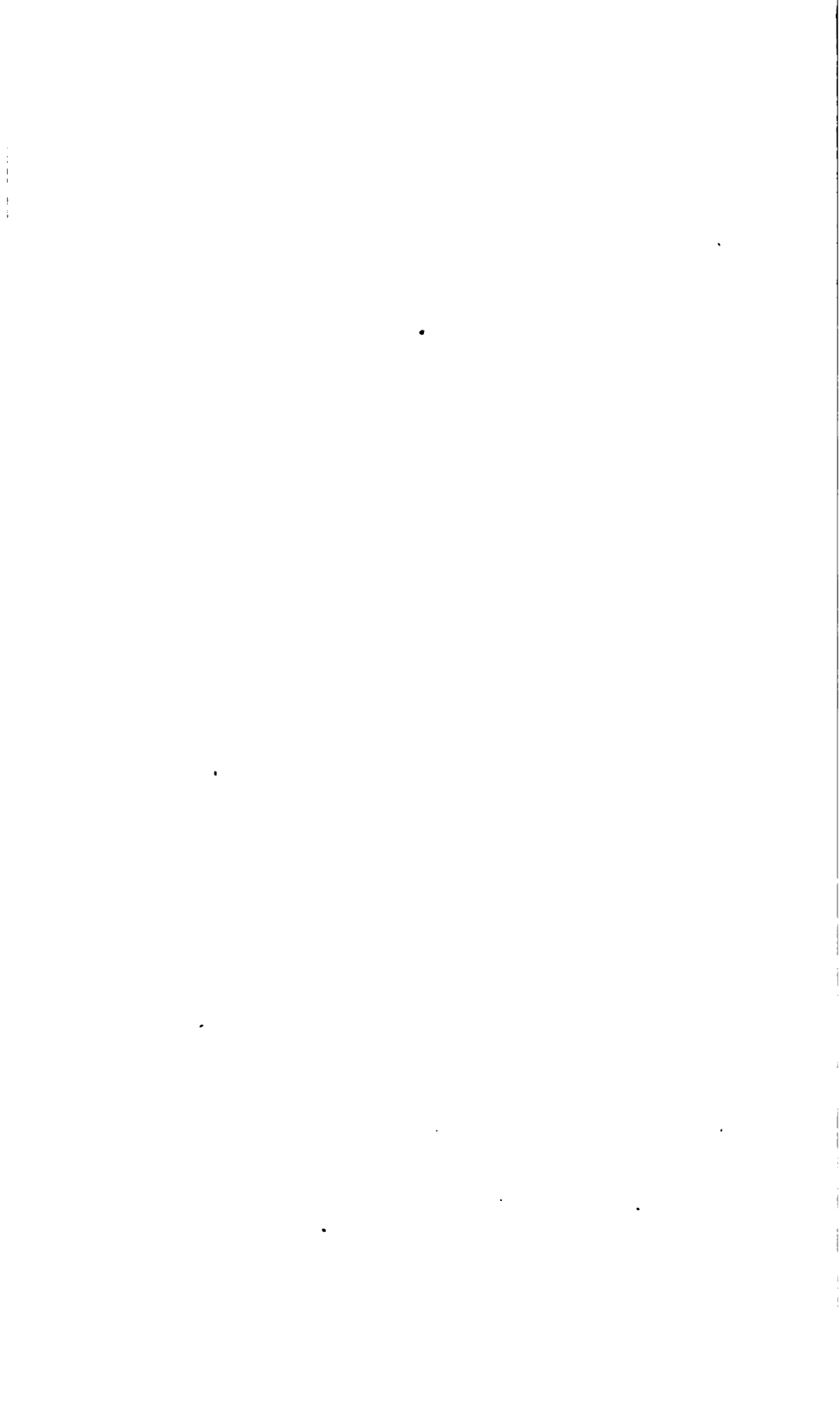
As to the value of the territory. The Spaniards, in their jealousy of every thing which might interfere with their sovereignty over South America and monopoly of its commerce, fixed on it much more than its just estimate. Representations were made to the English government to encourage settlements and commercial establishments; but they were vague and unimportant. The agricultural value of the islands was never insisted on; but, among other things, it was surmised that a plant had been discovered, which would be of great use to dyers, as a substitute for the lichen called Orchil or Archil, used by them in producing or fixing purple tints, and imported at great expense from Cape Verd and the Canaries. This intimation, disclosed in 1773, was declared not to be new, and rejected as impracticable. Taking a just view of the advantages to be derived from the possession, and the expense of maintaining it, government found that a sloop of war, with one hundred and twenty-five men, constantly stationed at Port Egmont, although utterly insufficient to protect it from hostile attack, would cause an annual expense of £10,120;

while a force of fifty men, seamen and marines, quite adequate to support the claim of right, would cost only £3,552 a year, and this course was therefore preferred.

In proof that Falkland's Islands were never supposed to have any intrinsic worth, it may be observed that they never were the object of enterprize in war, nor of discussion in any negotiation for peace.

In these observations, I endeavour only to shew that the measures pursued by government in 1771 were neither dishonourable nor unwise. If the facts stated by Mr. Mackinnon are correct, it will remain to be considered hereafter, how far the islands, hitherto deemed barren and unprofitable, may be rendered valuable and important as a settlement.





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THE  
HISTORY OF ENGLAND.

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GEORGE THE THIRD.

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CHAPTER THE TWENTY-FIRST.

1771—1774.

View of the war between Russia and the Porte.—Commencement of hostilities.—Successes of Russia.—Destruction of the Turkish fleet.—Jealousy of France.—Congress at Fokshiani.—Preparations of France.—Augmentation of the British naval force.—French minister eager for war.—The King averse.—Preparations at Brest.—Conference of Lord Stormont with the French minister.—Armament at Brest discontinued. New one at Toulon.—Preparations in England.—Second conference of the British ambassador with the French minister.—France deterred from hostilities.—Preparations mutually suspended.—Peace between Russia and the Porte.—Transactions of the city of London.—Resolutions respecting the duration of Parliament.—Address and remonstrance to the King.—Ineffectual efforts to revive the popularity of Mr. Wilkes.—He moves an address to the King, which is negatived.—Libels the lord mayor.—And is unsuccessful as candidate to succeed him.—State of Ireland.—Meeting of Parliament.—The house surrounded by a mob.—Opposition to, and protest against the address.—Resignation of Mr. Ponsonby.—Proceedings

in the ensuing session.—Addresses opposed.—Amended money bill rejected.—Alterations in the establishment of revenue officers.—Hearts of Steel.—Loan negotiated.—Prorogation of Parliament.—Lord Townshend recalled.—Succeeded by Lord Harcourt.—Affairs of America.—Contest of the New England assembly with the governor.—Taxation of revenue officers.—Address—Remonstrance—and prorogation of the assembly.—Progress of opposition. Influence in the assembly.—Perverse use of the press.—Dependent state of the judges.—Governors prohibited from receiving presents.—Proceedings of the assembly.—Legislature removed back to Boston.—Tumultuous state of that town.—Revenue officers insulted.—The schooner *Gaspee* burned.—Report of the intention to fix the salaries of the judges.—Town meeting.—Corresponding committees appointed.—Observations on them.—Declaration of rights.—Address to the people.—Meeting of the legislature.—They deny the legislative authority of Parliament.—Transactions respecting the salaries of judges.—The Governor assents to the act—but refuses to assent to a further grant.—Activity of the corresponding committees.—Publication of letters from Governors Hutchinson and Bernard.—Proceedings of the assembly.—They petition the King to remove the governor and lieutenant-governor.—Effect of the publication in America.—Effect of the act for exporting tea duty-free.—Proceedings at Boston.—Arrival of a ship.—Body meeting. Other ships arrive.—Their cargoes thrown into the sea.—Proceedings in other provinces.—Impeachment of the chief justice.—His letter.—Assembly dissolved.—Proceedings in England on the petition.—Account of the letters, and means used to obtain them.—Duel between Mr. Whateley and Mr. Temple.—Petition heard before the Privy Council.—Speech of Mr. Wedderburne.—Decision of the Privy Council.—Dr. Franklin dismissed from the Post-office.—Observations.—Bill in Chancery filed against Dr. Franklin. Examination of his conduct.

IN his speech, at the close of the session of parliament, the King mentioned the affairs of the continent in these terms: "the continuance of the war between Russia and the Porte, with both of whom I am closely connected in friendship, although under no engagement to either, gives me great concern. But, from the pacific disposition of other powers, I have reason to hope that these troubles will extend no further. I shall persevere in my earnest endeavours to preserve the general tranquillity of Europe; at the same time it shall be the constant object of my care to be sufficiently prepared against any event which may affect the honour, safety, or interest of my kingdoms."

CHAP.  
XXI.

1st July,  
1773.  
King's  
speech at the  
close of the  
session.

Hostilities between these two powers, as already has been mentioned\*, commenced in 1769: their first spring may probably be found in the intriguing genius of Choiseul, who fomented disturbances in Poland, for the purpose of reserving to his cabinet the power of interfering, when a favourable occasion should present itself. By the exertions of the French minister, a party was fostered, called the Confederation of Bar, who, uniting religion with patriotism, maintained open rebellion against the authority of King Stanislaus Augustus. They frequently solicited the assistance of the Turks, but without effect, till, in October 1768, Prince Galitzin, in pursuing a party of Poles, not only entered the Turkish dominions, but burned the small town of Balta.

Commence-  
ment of hos-  
tilities be-  
tween Russia  
and the  
Porte.

Irritated by this violation of territory, and instigated by the interested representations of France, the Sultan imprisoned, in the seven towers, Osbrekow, the Empress's minister, which occasioned the commencement of a war, and drew forth the first display of the mighty energies of the Russian empire. The contest was conducted with great animosity, but generally favourably to the Russians; they overran Wallachia and Moldavia; and the Empress having adopted the novel and bold measure of sending a fleet into the Mediterranean, the Turkish marine was effectually

\* Chap. xiv.

CHAP.  
XXI.

Destruction  
of the Turk-  
ish fleet.  
Jealousy of  
France.

destroyed in the harbour of Chesme, on the coast of Natolia.

France beheld these events with jealousy and alarm: she had encouraged the commencement of hostilities, in the hope of reducing the power of Russia, and was proportionally irritated at finding them tend to the aggrandizement of the Empress, and disgrace of the Turks. The Russian naval power was regarded with peculiar malevolence; and the French cabinet made several efforts to assist the Grand Sultan, which were always overawed by the resolution of the British ministry, and the formidable state of the British fleet.

Congress at  
Fokshiani.

In August, 1772, a pacificatory congress was ineffectually held at Fokshiani; and probably the French influence was still exerted in preventing the Turks from acceding to terms humiliating to them and advantageous to their opponent.

Preparations  
of France.  
1770.

From an early period of the war, expectations were formed that France would interfere, and rumours prevailed of armaments preparing in her ports. M. de Choiseul always professed a determined system of neutrality; but still considerable maritime preparations were made, particularly at Toulon; and all means attempted to lull the suspicions or elude the vigilance of the British ministry.

July 6th.

The cause of arming was said by Choiseul to be nothing more than an intended expedition to Tunis. This thin veil did not conceal the truth from the British ministry; and, by their instruction, Mr. Walpole observed that the armament at Toulon was extended far beyond what was necessary for such a purpose, and that sending two ships, as was proposed, into the Archipelago, at the moment when the Russian and Turkish fleets were expected to meet, was more likely to retard than to promote the pacification of Europe. Giving every credit to the French King and his minister for sincerity, it was obvious that, in these narrow seas, when two hostile fleets were met, that of a third power might be drawn in to take a part, contrary to the inclinations of its sovereign. Unforeseen

circumstances, even a mere punctilio, might produce events which it was more prudent for nations, delicate in the point of honour, to avoid than to incur. Mr. Walpole was directed, after deprecating, in the King's name, a measure which of necessity must give alarm, to demand a final resolution on the subject. On his mentioning, at a subsequent interview, that England would send two or three frigates into the Archipelago, the French minister gave reason to believe that his project would be abandoned, observing that it was useless, and might become dangerous.

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1770.

July 11th.

This specious behaviour appears to have been only a part of a deceptive system ; for Choiseul afterward informed Mr. Walpole, that, before the countermand could be communicated, the frigates had sailed ; which was not so : but it soon became known that the French had accomplished their undertaking at Tunis, and, consequently, that there was no longer a justifiable pretext for armed vessels of theirs approaching the scene of action. Toward the close of the year Choiseul was removed from his post of prime minister, with marks of disapprobation and disgrace, and was succeeded by the Duke d'Aiguillon.

Oct. 3rd.

Dec.

The King of England, bound by treaties with both the contending powers, refused to permit the undue interference of a foreign nation, or an armament, for the purpose of dictating a mode of pacification. Early in the late session of parliament, measures were adopted for putting the navy on a respectable establishment ; twenty thousand men were voted for the service of the year ; and, although the delicacy of the crisis forbade the ministry to disclose the real motive of their preparations, it did not escape the penetration of opposition, who observed, that while the King's speech breathed sentiments of peace, the measures of his servants indicated nothing but hostility\*.

2nd Dec.  
1772.  
Augmenta-  
tion of the  
British naval  
force.

The Duke d'Aiguillon, the successor of Choiseul,

\* Parliamentary History, vol. xvii. p. 538 ; Debrett's Debates, vol. vi. pp. 301 to 314 ; also respecting the war, Œuvres du Roi de Prusse, vol. iv. ; Life of the Empress Catherine, vol. ii. c. v. vi. and vii. ; Eton's Survey of the Turkish Empire, c. v.



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French minister eager  
for war.  
28th March,  
1773.

The King  
averse.

Preparations  
at Brest.

30th Mar.  
1773.  
Conference  
of Lord  
Stormont  
with the  
French minister.

a man of specious manners, but of an insincere and intriguing character, was anxious to engage in the contest, and essayed every art to make the British court regard his proceedings with indifference. In a council at Versailles, he announced a demand made by Sweden for certain succours stipulated by France, on the plea, that her independency was threatened by a joint attack from Russia and Denmark: the King, and many members of the cabinet, were averse from hostility, as other great nations would also interfere, and a general war would probably ensue: they proposed a supply in money; but d'Aiguillon, asserting that Sweden insisted on an armed succour, said a fleet of fourteen sail might be equipped in a month; England would not oppose, and Holland would assist in the measure. Louis XV. was displeased at the prospect of hostilities; but the members of the council who had declared their sentiments did not venture further to oppose the minister, and orders were dispatched to Brest for arming twelve ships of the line and two frigates, manned with seven thousand sailors.

In an interview with Lord Stormont, the British ambassador, d'Aiguillon dwelt on the ambitious views of Russia, her demands on the Porte, and her aiming to reign despotically in the north, by regulating the government of Sweden, and making war on that kingdom in concert with Denmark; France, he said, was bound, by every tie of interest and honour, to support Sweden, if attacked. Lord Stormont answered, much would depend on the mode to be adopted; for, although the King wished to avoid whatever could disturb the harmony subsisting between the two courts; a French fleet in the Baltic would draw a British fleet there also. The duke, dissatisfied at this intimation, observed, that England backed every friendly profession with a declaration, insisting that France should renounce her honour by abandoning an ancient ally threatened with destruction; a requisition with which he could never comply. Lord Stormont replied, that France might give other succours; but the entry of two fleets into the Baltic, would in effect be no more

beneficial than a neutrality: this declaration was carefully qualified, by observing, he had never said the British would attack the French fleet, but he could not be responsible for contingencies arising from the presence of two squadrons in the same sea. His lordship made these observations with a perfect knowledge that all the assertions of the French minister were untrue, and all his professions deceptive. Sweden had no desire to see foreign troops in the country where a recent revolution, effected by the King against the aristocracy, had implanted alarm and jealousy in the minds of many; but was anxious for a pecuniary supply, which would have been beneficial to all. They would have been glad to see a French fleet in the Baltic to control and overawe that of Russia; but d'Aiguillon insisted that it should be used only to convey the troops.

In his efforts for war, the French minister was supported, of course, by the party who agreed with him, and insidiously aided by some who envied and wished to supplant him. They rejoiced in his dilemma. "His honour is for ever lost," they said, "if he does not support Sweden; his power is lost if he does." The vigorous language used by Lord Stormont produced some effect; the preparation at Brest was countermanded: but still the French, hoping to elude the vigilance of the British government, directed an armament of twelve or thirteen sail of the line to be equipped at Toulon, under pretence of exercising the sailors; and the order for seven thousand men at Brest was not retracted.

In announcing this information, Lord Stormont suggested the propriety of vigorous and immediate preparations, without secrecy or affected ostentation; great celerity, steadiness, and activity on our part, might be the most efficient means of preserving the public tranquillity, and prevent the French from beginning that which, if once begun, they would, at all events and every hazard, endeavour to carry through. This prudent advice being consonant to the judgment of the cabinet, the Ambassador was instructed to

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1773.

4th April.  
Armament at  
Brest discontinued.

New one at  
Toulon.

Preparations  
in England.

7th April.

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declare, that if France stirred an oar, England would immediately bend her sails: and that no proposal could be admissible, tending to lead Great Britain to connive at France sending a fleet into the Baltic or Mediterranean.

6th April.  
Second conference of the British ambassador with the French minister.

Before the receipt of these instructions, d'Aiguillon avowed to Lord Stormont the intended armament at Toulon, but declared it was only equipped for evolutions. After much discussion, Lord Stormont observed, that although he had not, in his former discourse, mentioned the Mediterranean, yet his arguments respecting the Baltic applied with equal force to that sea; and asked the Duke if he seriously meant the fleet for evolutions alone? D'Aiguillon replied, he indeed intended it so, but it might possibly be employed in assisting Sweden, and angrily asked, What! do you intend to shut us up within our own ports, and to control us everywhere? The sea, he added, was free, and they would, if they pleased, send a fleet into the Mediterranean; we might send one also, and, if it went only to perform evolutions, no harm would ensue.

To all this vehemence, which denoted rather the agitation of fear than the warmth of true courage, Lord Stormont opposed calm firmness and undisturbed magnanimity. "I am entrusted," he said, "with the representation of a great nation, too conscious of its strength to boast of it, too careful of its own dignity to bend before anything that carries with it the smallest appearance of menace or arrogance; acting, not from feverish jealousy, but upon calm, steady principles of honour. In one word, were the consequence to be a thirty years' war,—if you arm, we arm."

7th April.

Convinced of the hostile disposition of the French minister, and apprehensive he did not truly represent to his Sovereign the sentiments of the British court, Lord Stormont suggested the propriety of delivering to him a memorial, which must be submitted to the King; he also announced, that the Toulon squadron would be ready for sea by the end of May, and re-

14th.  
Memorial to the French court.

commended an immediate armament as the best means of preserving peace. In both particulars this advice was promptly followed.

In the mean time, another council was held at Versailles, in which d'Aiguillon faithfully reported the sentiments of the British minister; and, in consequence of their unanimous determination, Lord Stormont was soon informed that the Toulon squadron was either disarmed or considerably reduced. In making this communication, the duke negligently said, orders had been issued to suspend the armament and the sailors countermanded; two frigates only would be sent to the Archipelago, and three ships of the line to Brest: and in a short time the preparations on both sides were discontinued\*.

Thus, by a timely exertion of resolution and vigour, tempered with moderation, Great Britain not only avoided the calamities of war, but effectually served the cause of her ally, and facilitated the peace, which was in the next year concluded between Russia and the Porte†. Lord Stormont received, as he well merited, the warm approbation of his Sovereign and his ministers, who declared that his conduct did honour to his country, and consequently to himself. To all the artifices which had been employed, he had opposed what he justly thought stronger weapons, sincerity, firmness, and temper.

The progress of this affair occasioned no great sensation in England. The faction in the city was reduced by divisions to the lowest ebb. Its leaders attempted to interest the public by recurring to general topics of legislation, and therefore, on the motion of alderman Oliver, the court of aldermen resolved, "That a frequent appeal to the constituent part of the people, by short parliaments, was their undoubted right, and the only means by which a real representation could be enjoyed and maintained." A

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1773.

12th April.  
French deter-  
tered from  
hostilities.  
18th.  
20th.

Preparations  
mutually  
suspended.  
30th.

Conduct of  
Lord Stormont  
highly  
approved.

16th Feb.

Resolutions  
passed by the  
city of Lon-  
don respect-  
ing the dura-  
tion of par-  
liament.  
11th Mar.

\* From private information; letters and minutes taken on the occasion, and documents in the State Paper office.

† The British fleet was, in June, assembled at Portsmouth: on the 22nd the King went to view this grand national bulwark, and endeared himself to every one by his affability and bounty.

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1773.

Address and  
remonstrance  
to the King.

26th Mar.

Efforts to  
revive  
Wilkes's  
popularity.  
7th April.  
20th.

Nov. 17th.

9th June.  
He moves an  
address ;

livery adopted the resolution, and proposed a test for future city candidates, by which they should bind themselves to use every endeavour in obtaining annual, or at least triennial, parliaments.

They also agreed to a new address, petition, and remonstrance, on the old subjects of the Middlesex election, the imprisonment of the magistrates, and the erasure of the record in Mr. Wilkes's case, and praying for a dissolution of parliament, and dismissal of the ministry. The King, when it was presented, said, it was so void of foundation, and conceived in such disrespectful terms, that he was convinced the petitioners themselves did not seriously imagine it could be complied with.

Many attempts were ineffectually made to revive the popular enthusiasm for Wilkes. On a call of the House, the sheriffs summoned him among the county and city members, and omitted Mr. Luttrell; Mr. Wilkes, also, in a letter to the speaker, renewed his claim to a seat, and in the usual manner inveighed against the return of his opponent: he applied at the petty-bag office for a certificate of his election, which was refused, as the first return of the writ had been altered by the House. He transmitted his complaint on the subject to serjeant Glynn, who mentioned it in parliament, and made an unsuccessful motion that Mr. Wilkes should be permitted to substantiate his charge. Sir George Savile availed himself of this opportunity to renew his motion relative to the rights of election; it occasioned a debate, but was negatived\*. The city had soon an opportunity of shewing their esteem for the learned serjeant, by appointing him their Recorder, when Sir James Eyre was made a Baron of the Exchequer†.

Mr. Wilkes, who, in pursuing his favourite object of wounding the feelings of the King, was never restrained by delicacy or decorum, made a motion, in a court of common-council, for an address, congratulat-

\* 201 against 151.

† He was opposed by Mr. Bearcroft, and had a majority of one only; the numbers being 13 to 12.

ing His Majesty on the safe delivery of the Duchess of Gloucester. This effort of mean and wanton insolence was opposed, as an affront to the King; and at length negatived, because it was not usual for the city to address, except for the issue of the immediate heir to the crown.

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which is negatived.

Libels against the members of different juntos in the city were now no less frequent than those against the court and courtiers. Mr. Wilkes, in a public paper, stigmatised the rule of the lord mayor (Townshend) for violence, tyranny, neglect of public business, contempt of order and decorum, and sordid parsimony. He was called to account by the court of aldermen, but, instead of denying, gloried in the charge, and added partiality and cruelty to his former accusations. He was afterward candidate for the mayoralty, but without success; alderman Bull was elected, and the vote of thanks to the late magistrate was accompanied by a motion of censure on his libeller, which was only withdrawn on the intercession of Alderman Townshend himself.

Wilkes's  
aspersions on  
the lord  
mayor.

10th Sept.

17th Nov.

Discontent and turbulence still prevailed in Ireland. The sudden prorogation of parliament was not forgiven, and those who felt the greatest resentment were employed, in an interval of fourteen months, in reinforcing their friends, and concerting new measures. Lord Shannon and Mr. Ponsonby were, during the recess, deprived of all their places, and the accession of their strength and influence was anxiously expected by the minority.

State of Ire-  
land.

The lord-lieutenant met the legislature with a conciliatory speech, informing them that the bounties on exportation of linen were continued and extended; and that, with a very strict economy, the duties granted in the last session would be sufficient for the expenses of the year, and no supply required. He rejoiced in the opportunity of co-operating with them for the public welfare, and flattered himself that their mutual endeavours would bring the session to a speedy and happy conclusion.

26th Feb.  
1771.  
Meeting of  
parliament.

On the ensuing day, when the address was to be

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1771.

27th.  
House sur-  
rounded by a  
mob.Addresses  
opposed.

Protest.

Resignation  
of Mr. Pon-  
sonby.  
4th March,  
1771.Efforts of  
opposition.

moved, a mob, armed with clubs and cutlasses, surrounded the House, and attempted to compel several members to take an oath of their dictating; on their refusal, many distinguished adherents of government were insulted and maltreated; nor was the tumult quelled without the assistance of the military.

The addresses were strenuously opposed in both Houses; and a paragraph, thanking the King for continuing Lord Townshend in the lord lieutenancy, occasioned a strong protest, signed by fifteen peers, and concluding in these terms: "Because moderation, firmness, consistency, a due distinctive regard to all ranks of persons, a regular system of administration, being, as we conceive, indispensably requisite to the support and dignity of government, and to the conduct of His Majesty's affairs, we cannot, without violation of truth and justice, return thanks to the King for continuing a chief governor, who, in contempt of all forms of business and rules of decency heretofore respected by his predecessors, is actuated only by the most arbitrary caprice, to the detriment of His Majesty's interest, to the injury of this oppressed country, and to the unspeakable vexation of persons of every condition." When the address had been voted, Mr. Ponsonby resigned the chair. He declared, by letter, that his excellency having, at the close of the last session, declared the House guilty of a great crime, that of encroaching on His Majesty's prerogative and authority; he considered the address, which expressed approbation of his excellency, derogatory to the dignity of the House: he was succeeded by Mr. Pery. The business of the session was not important; no question was permitted to pass without a division; but it is observed, that the minority were constantly gaining ground. Protests, signed by the Duke of Leinster and fifteen other peers, were, on every division in the Lords, placed on the journals\*.

During the recess, the press teemed with publications on the state of Ireland, and the conduct of the

\* Plowden, vol. ii. p. 406; also Memoirs of Grattan, vol. i. p. 101, et seqq., and particularly the character there given of Mr. Pery.

lord-lieutenant; and opposition prepared to exert itself with increased vigour. At the opening of the ensuing session, the viceroy, in his speech, observed that the revenue had fallen considerably short of its intended purposes, and attributed the deficiency, in a great degree, to the premiums and bounties allowed by parliament, and the expenses of public works.

The strength of opposition was again essayed in both Houses, in combating the addresses: in the Lords, the minority, headed by the Duke of Leinster and Lord Moira, insisted that the deficiencies complained of did not arise from the causes assigned, but from the late unconstitutional prorogation. Failing in their attempt to negative the address\*, all the peers who composed the minority joined in a protest.

In the House of Commons, several eminent orators distinguished themselves in resisting the address: they alleged the impropriety of concurring in it, at least until accounts delivered to the House should enable them to judge whether the deficiency in revenue was truly attributed to patriotic exertions, or whether it arose from the great number of places and pensions so flagrantly distributed among the members composing the court party, and the conduct of the lord-lieutenant in proroguing parliament was severely arraigned. The measures of government were defended with equal ability, and the vote of the last session, thanking the King for continuing Lord Townshend in his situation, was adduced as a proof of the inconsistency of those who were now so anxious to criminate him, and of their desire to mislead the House. After a debate, which lasted till half after three o'clock in the morning, a proposed amendment was rejected†, and the address carried‡.

The opposition party were neither dispirited nor disconcerted by this failure; they saw their importance and numbers increase on every division, and persevered with all the ardour inspired by a view of success. For four months the House never rose before ten o'clock, and frequently sat several hours after

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8th Oct.  
Proceedings  
in the ensuing  
session.

Addresses  
opposed.

Protest.  
9th Oct.  
1771.

Strenuous  
exertions of  
opposition.

\* It was carried by 25 to 11.

† 88 to 36.

‡ 132 to 107.



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XXI.1771.  
5th Dec.Money bill  
amended in  
England  
rejected in  
Ireland.  
20th Dec.1st Jan.  
1772.Alterations  
respecting  
revenue  
officers.  
Feb. 1772.

midnight: a new attack was, almost every day, made on government. On a proposition for a new board of accounts, after a protracted debate, the opposition divided a minority of five only\*; but, in the rejection of a money bill, obtained a complete triumph.

An act of the Irish parliament sent to England, containing means of supply, and returned from the privy-council altered in three material particulars, was, after an animated debate, rejected without a division; but the House of Commons, to avert the calamities which would result from a want of supplies, instantly brought in a new bill containing all the grants of the former, and even admitting two of the three amendments which occasioned its rejection; it was read three times in the same sitting, and sent to the Lords: the whole transaction did not occupy two hours. The Speaker, in presenting the bill to the lord-lieutenant, assured him of the inviolable attachment of the Commons to the King, and their zeal for his service.

Another measure of government which gave great offence was the increase of revenue officers, by putting the customs and excise under separate boards: this alteration created an additional annual expense of sixteen thousand pounds; but the difference was abundantly repaid by the prevention of frauds. The party in opposition alleged that a great part of the revenue officers already appointed resided in England, and the increase of the number tended merely to the augmentation of patronage. A resolution passed the House of Commons, expressing disapprobation of the measure before it was known to have been adopted by the King; and when the appointment was announced, a resolution was voted, declaring, that whoever advised the increase of commissioners of the revenue beyond seven, advised a measure contrary to the sense of the House†. A bill was also brought in for limiting the number of placemen to sit in parliament, but failed.

\* 124 to 119.

† The division was equal, 106 on each side; the Speaker gave a casting voice in the affirmative. The resolution was a mere nullity, as the King had created the commissioners before the passing of the resolution alluded to, as containing the sense of the House: but the motion, and the strength of opposition, show the state of public opinion.

Meanwhile the north of Ireland, particularly the counties of Antrim, Down, Armagh, Londonderry, and Tyrone, was overrun by a turbulent and savage banditti, who, under the name of *Hearts of Steel*, perpetrated the greatest outrages and the blackest crimes: they were in sufficient force to keep the whole country in alarm, and were not quelled without the aid of the military. They committed violences and outrages on the property of those who were obnoxious to them, not sparing even life, when revenge, apprehension, or interest prompted the sacrifice. They were bound to each other by oaths, and inspired terror throughout the community. By the transmission of threatening letters they obstructed the collection of taxes, and their number and combination enabled them to hold the law in defiance. One of their party, charged with felony, being imprisoned at Belfast, thousands proceeded to the town, and when, for security, he was lodged in the barrack, they prepared to attack the military; but the horrors of a bloody day were averted by the prudence of a gentleman of great influence, who persuaded the military to liberate the prisoner. Had he been detained, the result would probably have been productive of no advantage to justice; for several who were taken and tried at Carrickfergus were acquitted; it may have been for want of evidence, but that is not very probable: in cases where the offences are committed in the face of day, and in the presence of multitudes, it is more likely to have arisen from fear of incurring the resentment of the insurgents, or from a partiality to their cause in the minds of the witnesses or the juries.

These proceedings were recommended to the attention of Parliament by the Lord-Lieutenant, who, in his speech at the opening of the session, denounced them as destructive of commerce, and disgraceful to liberty. An act was passed for the purpose of preventing the effect of prejudice or terror in the disturbed districts, enabling the Lord-Lieutenant, in such cases, to issue a special commission to try the offenders

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1772.

Loan nego-  
tiated.

in the county or the city of Dublin. This measure did not produce the desired effect: the Dublin jury-men probably felt that they must appear to have been selected for the execution of purposes of vengeance, and they acquitted all the prisoners who were brought before them\*.

The continual efforts of opposition, frequently attended with success, and the frequent insurrections in the country, not only impaired the energies of government, but diminished its pecuniary credit. The receipt of revenue was so much impeded, and the expenditure so much overcharged in consequence of popular motions, that an alarming deficiency, which had been felt for many years, and was continually increasing, was submitted to parliament. The House of Commons proposed to assist government by a loan of two millions; but men of property were not easily induced to advance the requisite sums on the slender security of tax acts, passed for two years only, while, by the efforts of opposition, the permanent revenue was incumbered to the annual amount of fifty thousand pounds, and while the turbulence of the populace was in some measure sanctioned and instigated by repeated attacks on the constitution.

2nd June.  
Termination  
of the ses-  
sion.

9th Oct.  
Lord Towns-  
hend re-  
called.

28th Nov.  
Lord Har-  
court lord-  
lieutenant.

At the close of the session, the Viceroy expressed approbation of several acts, but complained of the smallness of supplies, and suggested the impossibility of their sufficing, unless a considerable increase in the revenue was effected. The conclusion of this speech had a valedictory appearance; and before the next meeting of the legislature he was recalled†, and replaced by Lord Harcourt, who was received with great joy by the Irish. Dissatisfaction was however generally prevalent, and exaggerated accounts were circulated, tending to impress a belief of emigrations, to an

\* Plowden, vol. ii. p. 412.

† Lord Townshend was not recalled under circumstances of disgrace: he was immediately appointed master-general of the ordnance. The personal ran-  
cour excited by his administration was so great, that he was obliged to fight (2nd Feb. 1773) a duel with Lord Bellamont, who was dangerously wounded in the body, but recovered.

enormous and dangerous amount, from all the towns and manufacturing counties in the kingdom\*.

The rising and widely-diffused spirit of dissatisfaction and opposition, which had already occasioned so much embarrassment in the government of America, now assumed a more formidable aspect, and produced those events by which the separation of the parent state from its colonies was ultimately effected.

The general repeal of American duties was not satisfactory; from the exception of tea, it was plausibly urged that, although Great Britain had been twice foiled in attempts to raise a revenue, the intention was not abandoned, but, the right being reserved, an opportunity alone was wanting to carry it into execution. This insinuation was frequently adverted to in periodical publications, for the purpose of exciting discontent; jealousy and alarm were thus kept alive; but although the majority of the people were not propelled to action by mere theoretical statements and surmised possibilities, cordiality was not restored: tea from Great Britain was still a prohibited article, and the inhabitants of the New England provinces assiduously cherished the sentiments of disaffection. They would not have been satisfied with a total abolition of the claim to taxation; but anxiously awaited such concession from the mother-country as would, in fact, render America independent.

The removal of the legislature from Boston to the town of Cambridge, distant about four miles, afforded room for strenuous complaints from the House of Representatives to Mr. Hutchinson, Sir Francis Bernard's successor in the government. In answer to a message requiring its reinstatement in Boston, he said he was unable to comply, unless authorized by the King, but would solicit his permission, and hoped to obtain it before another session.

Before the end of the existing session, however, he found it necessary to alter this conciliatory language. The establishment of a board of customs, and

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1771.  
Affairs of  
America.

Contest of  
Massachu-  
set's Bay  
with Gover-  
nor Hutchin-  
son.  
30th May.

Taxation of  
revenue  
officers.

\* For these circumstances, see the accounts preserved in the periodical publications.

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the powers committed to its officers, formed a more serious ground of complaint than any taxation imposed or attempted by Great Britain: and the legislators of New England, unable to make the prevention of smuggling a subject of invective, used every little art and sinister chicane to oppress the persons employed in protecting the revenue. During late years, they had introduced a practice of assessing the officers of the crown, residing among them, for the profits derived from their commissions: the governor, in consequence of representations on the subject, was expressly instructed to withhold his consent from such laws, on whatever pretence they might be founded.

4th July,  
1771.

The legislature having passed an act, in the new form, for "apportioning and assessing a tax of £1500," the governor, in mild terms, informed them of his instructions, and stated that the general clause in the bill, empowering assessors to tax all commissions of profit, needed qualification, and should extend only to commissions peculiarly relating to the province; otherwise, any of His Majesty's servants, occasionally resident for a short term, might be taxed for profits received from their commissions and places in Great Britain, or any other part of the King's dominions.

5th.  
Address of  
the assembly.

A strenuous debate ensued, and a copy of the instructions being communicated, the assembly unanimously voted an address, in which they termed the governor's reason for refusing to sanction the bill surprising and alarming. "We know of no commissioners of His Majesty's customs," they said, "nor of any revenue he has a right to establish in North America: we know, and we feel a tribute levied and extorted from those, who, if they have property, have a right to the absolute disposal of it."

Remon-  
strance.

Assembly  
prorogued.

A remonstrance was also agreed to on the governor's refusal to ratify the grant of certain sums of money to Messrs. Bollan and De Bert, the colonial agents. Governor Hutchinson checked the progress of these debates, by proroguing the general court. In

his speech, he said, whatever might be the rights of the legislature in matters of taxation, the crown had reserved to itself the prerogative of disallowing laws; and as the rejection of a tax act, after it was in part executed, would cause great perplexity, the King's instructions, pointing out those parts which he disapproved, afforded an unexceptionable instance of tenderness and paternal regard. He promised also to transmit his message, and their extraordinary answer, to be laid before His Majesty.

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The determined spirit of opposition shewn by the assembly, and the system and perseverance with which it was prosecuted, indicated great strength of combination, and firmness of arrangement. Every measure taken by the popular party since the commencement of disputes between the mother-country and colonies, tended to give vigour, and ensure success, to their ulterior efforts. The government, when tranquillity was apparently restored, rejoiced in the absence of discontent, and banished all fear and jealousy; the opposition party, on the contrary, dreaded the abatement of public effervescence, and excited suspicion and apprehension by the revival of old topics of dispute, and the suggestion of new ones, either existing or probable. Effigies, paintings, and other imagery, were exhibited to inflame the public mind; the 14th of August was annually celebrated as a festival in commemoration of the destruction of a building, the property of the lieutenant-governor, which was demolished by a mob, on the supposition of its being designed for a stamp-office, and of the owner's being compelled to resign his office of stamp-master, under the tree of liberty. The 5th of March, the anniversary of the pretended massacre of Boston, was also marked out for the periodical delivery of orations at one of the meeting-houses; lists of imaginary grievances were continually published; the people were told that the ministry had formed a plan to enslave them, and conjured, by the duty they owed to themselves, their country, and their God, by the reverence due to the sacred memory of their ancestors, and by

Progress of  
opposition.

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their affection for unborn millions, to rouse, and exert themselves in the common cause. They were further stimulated by pretences that the people of England were depraved, the parliament venal, and the ministry corrupt; nor were attempts wanting to traduce Majesty itself\*. The kingdom of Great Britain was depicted as an ancient structure, once the admiration of the world, now sliding from its base, and rushing to its fall; at the same time the natives were called upon to mark their own rapid growth, and to behold the certain evidence that America was on the eve of independent empire. The dissenting ministers actively inculcated the same sentiments from their pulpits, and with religious solemnity, with forcible appeals to Heaven, and with all the advantages derived from habit, religious opinion, and popular predilection, enforced the topics and principles which their audience had before read in newspapers. The friends of government could not recur to the same, or even ordinary means, in support of their cause, as the press was entirely enslaved to the other party; printers were threatened with ruin for publishing in their behalf, and one was, for his perseverance, compelled to abandon the country.

Influence in  
the assembly.

The legislature was entirely subjected to a committee of the most active amongst the popular party, who, in secret, framed the intended resolves, and other violent measures. It was their policy to particularize the votes of every member, and, in the ensuing gazette, to publish them with their names; exposing them to resentment and contempt by severe strictures and invectives. Individuals, thus rendered objects of detestation to their constituents, were easily supplanted at a new election; and although the loss of a seat was not in itself of great importance, yet, when the unsuccessful candidate became stigmatized as an enemy to his country, he was exposed to insult, his professional pursuits were impeded, and the

\* These opinions characterize many American publications; and specimens, which probably served as texts, may be seen in the Letters of Dr. Franklin, Memoirs, vol. i. pp. 162, 169, et passim.

welfare of himself and family rendered precarious. Under the influence of these terrors, few members could be found sufficiently hardy to oppose the popular voice; the apparent unanimity of the assembly encouraged factious proceedings out of doors; and the prevailing party in the legislature derived new courage from the success of their adherents in the town\*.

While such was the state of the legislative body, no reliance could be placed on the due administration of justice, as the governor and the judges were dependent for their salaries on the votes of the colonial legislature, although their commissions were given by the King, and to be held during his pleasure. The salaries of the judges were inadequate to the dignity of their stations, and disproportionate to those of other officers of government: they had often petitioned for an advance, but without effect, and their known dependence diminished their authority. In their charges to grand juries they in vain recommended the prevention of riots and insurrections; the jurors, who were men of property, and invariably of the popular party, refused attention to the instructions of persons whose rank in society was rendered less respectable than it ought to have been, by the want of a sufficient establishment; and libels on magistrates and governors were repeatedly suffered to pass unnoticed, although the proof was copious and flagrant. Party extended its influence to the whole administration of justice; juries, even in cases of property, gave decisions biassed by the political connexions of the suitors, and the judges, restrained by a recollection of their own dependence, could not reverse, by a declaration of the law, these injurious proceedings†.

Sensible of the necessity of terminating this disgraceful subjection, the ministry, in pursuance of an act of parliament, enjoined the governors of provinces to withhold their consent from any act for a gift or

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Dependent  
state of the  
judges.

Governors  
prohibited  
from re-  
ceiving pre-  
sents.

\* See *Massachusetts*, a series of letters by Mr. Lennard, a member of the council of Massachusetts's Bay; Boston, printed; London, reprinted for Mathews in the Strand, 1776. Letter ii.

† *Massachusetts*, Letter iii.



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May.  
Proceedings  
of the as-  
sembly.

present from the assembly or others to them, on pain of recal.

The House of Representatives of Massachusetts Bay, in a message to Mr. Hutchinson, required information, whether provision was made for him as governor, in any other than the usual manner, by gifts and grants from the general assembly? He answered, that His Majesty, in pursuance of an act of parliament, had made certain and adequate provision for his support in his station; and he supposed he could not, without special permission, accept of any grant from the province for his ordinary services. On this answer, they voted the governor's acceptance of support not derived from the general assembly, a dangerous innovation, which rendered him independent of the people, and not such a governor as the people consented to at the time of granting their charter; and most solemnly protested against the innovation, as a change of the constitution, which exposed the province to despotism.

13th June.  
Legislature  
removed  
back to  
Boston.

Tumultuous  
state of that  
town.

Notwithstanding this contumacious proceeding, the governor was disposed to conciliatory measures, and, on the favourable report of the council, complied with the wishes of the people, by adjourning the session for a few days, and appointing their next meeting at Boston. But, although the council certified, on their oaths, that the governor might, with a proper regard to the King's instructions, remove the general court to Boston, that town was still in a most tumultuous state, and the spirit of insubordination unsubdued.

Revenue  
officers in-  
sulted.

The establishment of a board of commissioners, and the activity employed in the prevention of smuggling, occasioned great discontent; and, after the removal of the troops from Boston, the revenue officers were exposed to constant insults: the offenders were not restrained by the magistracy, and openly encouraged by the wealthiest merchants. Obnoxious persons were stripped, daubed with tar, then covered with feathers, and in that state carried

through the streets, derided, struck, and scourged by the populace\*.

The other New England provinces participated in the same spirit: at the town of Providence, in Rhode Island, a place notorious for smuggling, a king's schooner, called the Gaspee, was stationed; the commander of which, Lieutenant Dodingstone, was detested for his vigilance and activity. At midnight, the Gaspee was boarded by two hundred armed men from boats, who, after wounding the commander, and forcibly carrying him and the crew on shore, burned the vessel. The perpetrators of this daring exploit were never discovered, although a reward of five hundred pounds was offered, together with a pardon, if claimed by any of the accomplices†.

During a recess of the legislature of Massachusetts Bay, it was rumoured, as the fact really was, that not merely the governor, but the judges, were to be allowed adequate salaries, payable out of the public revenues; the popular party represented this as a ministerial plan, to render the judges dependent on the crown; and the press immediately teemed with new invectives. Great Britain, it was said, having failed in the attempt to dragoon the province into a slavish submission, was now aiming at the accomplishment of the same end, by corrupting the source of justice.

The select men immediately appointed a town meeting at Faneuil Hall, to inquire into the grounds of the report. A message was transmitted to the governor, stating the alarm excited among all considerate persons, by the report of a measure tending rapidly to complete the slavery, which originated in a power assumed by the House of Commons of Great Britain, to grant the money of the colonists without their consent; and requesting information, whether he had received advice on the subject? Hutchinson answered, it was not proper for him to lay before any town meeting his official correspondence, or to acquaint them whether he had or had not received advices

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Burning of  
the schooner  
Gaspee.

10th June.

Report of the  
intention to  
fix the salaries  
of judges.

25th Oct.  
Town Meet-  
ing.  
Message to  
the governor.

\* Almon's Collection, vol. i. p. 249.

† Stedman.

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Correspond-  
ing com-  
mittees ap-  
pointed.Observations  
on them.

relating to the public affairs of government. This was deemed unsatisfactory, and a committee appointed to request him to convene the assembly, which he declined, assigning his reason. They then resolved to petition the King for redress of grievances, and established a committee to correspond with those of other provinces.

The baleful effects of these committees had been already experienced in the colonies: their establishment in America is attributed to Franklin\*, and is termed "the foulest, subtlest, and most venomous serpent that ever issued from the eggs of sedition †." The committees were generally chosen at town meetings, and composed of the most fiery and uncontrollable spirits of opposition; they had an opportunity, under the apparent sanction of their towns, of clandestinely

\* The *invention* is far more ancient; corresponding committees were established among the republicans and sectaries in the time of Charles I. They may have been revived in America at the suggestion of Franklin, but the origin of their practical formation and arrangement is claimed for Virginia by Mr. Jefferson. "Not thinking," he says, "our old and leading members up to the point of forwardness and zeal which the time required, Mr. Henry, Richard Henry Lee, Francis L. Lee, Mr. Carr, and myself, agreed to meet in the evening, in a private room of the Raleigh, to consult on the state of things. There may have been a member or two more whom I do not recollect. We were all sensible that the most urgent of all measures was that of coming to an understanding with all the other colonies, to consider the British claims as a common cause to all, and to produce a unity of action: and, for this purpose, that a committee of correspondence in each colony would be the best instrument for intercommunication: and that the first measure would probably be, to propose a meeting of deputies from every colony, at some central place, who should be charged with the direction of the measures which should be taken by all. Mr. Carr moved them; they were agreed to *nem. con.*, and a committee of correspondence appointed, of whom Peyton Randolph, the speaker, was chairman. The origination of these committees of correspondence between the colonies has been since claimed for Massachusetts, and Marshall has given in to this error; the messengers of Massachusetts and Virginia crossed each other on the way, bearing similar propositions." *Memoirs*, vol. i. p. 4.

† An American writer, exulting in the effect already produced by these committees, and auguring the purposes to which they might be converted in other countries, expresses himself in these terms: "If we recollect how many States have lost their liberties merely from want of communication with each other and union among themselves, we shall think that the *committees of correspondence may be intended by Providence to accomplish great events*. What the eloquence and talents of Demosthenes could not effect among the States of Greece, might have been effected by so simple a device. Castile, Arragon, Valencia, Majorca, &c. all complained of oppression under Charles the Fifth, flew out into transports of rage, and took arms against him; but they never consulted or communicated with each other: they resisted separately, and were separately subdued. Had Don Juan Padilla, or his wife, been possessed of the genius to invent a committee of correspondence, perhaps the liberties of the Spanish nation might have remained to this hour." Almon's *Remembrancer*, vol. i. p. 33.

wreaking revenge on obnoxious persons, by traducing and representing them as enemies to the country; many individuals of principle and property, while travelling, found themselves insulted and reviled by men whom they had never seen, and for whose malevolence they were at a loss to divine a motive. Thus was sedition propagated, and misrepresentation, both of individuals and of public measures, rendered current through all parts of this vast continent: by these means did the same clamours arise in so many parts of the colonies at the same moment, that to those who supposed the proceeding spontaneous, it appeared almost miraculous\*.

From the committee at Boston originated a report, containing a new declaration of rights, more extensive than any hitherto framed; the authority of parliament to legislate for the colonies, in any respect, was explicitly denied; the rights of the colonists, and the violations of them, were enumerated; the declaratory act of 1766 was particularly complained of; by this, they said, the British parliament assumed the power of legislating for them without their consent, and, under pretence of that authority, imposed taxes, and appointed new officers to be resident among them, unknown to their constitution, because unauthorized by their charter. The British ministry, by framing the new regulation for granting salaries to the judges and crown officers out of this odious tribute, were charged with designing to complete the system of slavery commenced in the House of Commons.

This report being approved at an adjourned meeting of the inhabitants, six hundred copies were printed, and dispersed through all the towns of the province, with an address to the people, exhorting them, in the common cant used for purposes of faction, "By the regard they owed to the rising generation, not to doze, or sit supinely indifferent, on the brink of destruction, while the iron hand of oppression was daily tearing the choicest fruits from the fair tree of liberty, planted by their worthy predecessors at the expense

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1772.

2nd Nov.  
The committee frame  
a declaration  
of rights.

Address to  
the people.

\* Massachusettsensis, Letter iv.

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6th Jan.  
Meeting of  
the legisla-  
ture.They deny  
the legisla-  
tive autho-  
rity of parlia-  
ment.Messages re-  
specting the  
salaries of  
judges.  
23rd Jan.

3rd Feb.

"of their treasure, and *abundantly watered by their blood\**."

As these general speculations had been unsparingly promulgated, and with some appearance of authoritative sanction, Mr. Hutchinson thought proper, at the opening of the general court, to afford the legislature an opportunity of disavowing any concurrence in such dangerous sentiments, and therefore took occasion to insist on the supreme legislative authority of parliament. ✓ The assembly, however, were not disposed to recede, as a body, from the pretensions which, as individuals, they had laboured to maintain: in their address they denied the competency of parliament, not only to levy taxes, but to legislate for them in any respect; and they added, "If, in any late instances, there had been a submission to acts of parliament, it had been, in their opinion, rather from inconsideration, or reluctance to contend with the parent state, than from a conviction or acknowledgment of the supreme legislative authority of parliaments†."

The grand popular topic was not long permitted to remain quiescent: the house of representatives voted salaries to the judges, as a compensation for their services for one year, ending the first of January. The governor delaying to sanction this vote, was requested to make known his difficulty, and acquainted that the

\* Stedman, vol. i. p. 82. Almon's Collection, &c.

† Such was the improper tendency of this address, that the assembly themselves thought proper, in a letter to the Earl of Dartmouth, secretary of state for American affairs, dated 29th June, 1773, to retract and apologize for the expressions they had used. Even this was not done without some chicane and hypocrisy; they accused the governor of having unnecessarily brought the subject of parliamentary authority under consideration, and that, by his speech at the opening of the session, Mr. Hutchinson called on the two Houses in such a pressing manner, as amounted to little short of a challenge to answer him. Into such a dilemma were they brought by the speech, they say, that they were under a necessity of giving such answers as they did, or having their conduct construed into an acquiescence in the doctrines it contained, which would have been an implicit acknowledgment that the province was in a state of subjection, differing very little from slavery. The answers were the effect of necessity, and this necessity occasioned great grief to the two Houses. "The people of this province, my Lord," they continued, "are true and faithful subjects of His Majesty, and think themselves happy in their connexion with Great Britain." Stedman and Almon. Dr. Franklin, too, states that, even among the friends of the ministry here, the conduct of Governor Hutchinson, in alluding to former disputes, was deemed indiscreet, although well meant. Memoirs, vol. ii. p. 180.

people were universally alarmed with the report of salaries being fixed to the offices of the justices by order of the crown. His excellency avowed his information that the King had directed salaries; but had received no intelligence of warrants being issued for payment; he had therefore delayed giving his immediate assent to the grants, lest, when the warrants from the crown should be transmitted, they might include sums due for part of the time for which the assembly had provided.

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1773.  
4th Feb.

In consequence of this message, a deputation was instructed to wait on the governor, and represent that "no judge, who had a due regard to justice, or even to his own character, would choose to be placed under an undue bias, by becoming dependent on the crown for his salary." The measure was imputed to the King's being misinformed respecting their constitution, and the governor's reasons for delay were treated with great disregard. "When we consider," they said, "the many attempts that have been made to render null and void those clauses in our charter upon which the freedom of our constitution depends, we should be lost to all public feeling, did we not manifest a just resentment. We are more and more convinced, that it has been the design of administration totally to subvert the constitution, and introduce an arbitrary government in this province, and we cannot wonder that the apprehensions of this people are thoroughly awakened." In conclusion, they expressed a hope that the judges would refuse to accept of support in a manner so justly obnoxious to the disinterested and judicious part of the community, being repugnant to the charter, and utterly inconsistent with their safety, rights, liberties, and of property.

Contrary to the expectations of the demagogues, the governor at length gave his consent to the vote; but as the question would now remain at rest for a longer period than suited their views, they adopted an unprecedented measure for the purpose of instantly reviving it, by voting similar grants for the year ensuing; but this resolution the governor refused to confirm,

Hutchinson assents to the act of the assembly. Further grants voted, which the governor refuses to sanction.

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1773.

Activity of  
the commit-  
tees of cor-  
respondence.

alleging, that as there was no instance of an allowance made to judges for services not actually performed, and as those grants were prospective, and passed in so short a time after the information he had given the House, his assent would appear to counteract the King's intentions.

The year 1773 produced abundant causes of discontent in New England; the dispute respecting the judges was never relinquished; and the committees of correspondence were actively employed in disseminating sedition. In consequence of the outrage committed on board the *Gaspee*, a court of inquiry was instituted at Rhode Island, with powers, conformably to a late act of parliament, to send the defendants to England for trial. A sub-committee of correspondence was formed by the people of Boston, to examine by what authority the court of inquiry held its sittings; the assembly of Virginia, and several other legislative bodies, adopted the corresponding system, and the whole continent was thus prepared for the instantaneous reception of an uniform impulse.

Publication  
of the letters  
of Hutchin-  
son and  
Bernard.

The hatred of the people of Massachusetts Bay to their governor and to the British government, received at this time new force from a treacherous and unwarrantable act committed by Dr. Franklin. His appointment as agent, at a critical period, has already been mentioned: his remaining in it was owing to the influence of the opposition party in the assembly, who, contrary to the practice and forms of the colonial constitution, which required the concurrence of the three branches of the legislature, continued him, although the council had appointed another person to officiate for them. Dr. Franklin's information was highly prized by his adherents: his delineations of the disposition of the King, the ministry, parliament, and the nation, were deemed most authentic. He advised the colonists to persevere in distressing government by reiterated resolutions, and to cherish a military spirit; and assured his constituents, that, if firm, they had nothing to fear from the people of England; they were generally favourable to the Ame-

rican cause, and so was the King; it was resisted only by a corrupt and unwise parliament. He assured them too, that their part was warmly taken by the Irish in general; that in France their dispute was much attended to, and their pamphlets translated; and, as the French language was generally spoken, all Europe had thus become interested for the Americans\*. He suggested modes of resistance to government, and the popular measures were generally introduced to the House by letters from him. The rancorous opposition which was displayed during the governments of Bernard and Hutchinson, was attributed to the misrepresentations of party agents. Sir Francis Bernard was a man of acknowledged abilities, and undisputed integrity; he came to the government of Massachusetts Bay, recommended by the affections of the people of New Jersey, over whom he had before presided. Mr. Hutchinson's character in private life was amiable and exemplary; his abilities, humanity, and honour, were well known to the province, from his conduct in various important departments, particularly that of chief justice; and he was endowed with a thorough knowledge of the interests, connexions, and affairs of his government†. As a friend to the constitution established by charter, both had opposed the innovations of the republicans, and, in confidential communications with persons in Great Britain, expressed with freedom their sentiments respecting the origin, continuance, and means of preventing those disturbances which agitated the colony.

Dr. Franklin having obtained possession of some of these letters, transmitted them to the committee of correspondence, by whom they were laid before the house of representatives, where they gave birth to most violent proceedings. A committee waited on the governor, and, refusing to trust the letters from their own custody, inquired whether he acknowledged his signature. Having received an explicit avowal,

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1773.

Their characters.

Proceedings of the assembly.

\* Letters to Dr. Cooper, British Museum. February 1769, to June 1770, et passim.

† Massachusettsensis, Letter iii.



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1773.

June 29th.

Effect of the  
act for ex-  
porting tea.

the assembly prepared a petition and remonstrance to the King, charging the governor with betraying his trust and slandering the people, by giving private, partial, and false information; he was declared an enemy to the colony; and they prayed for his removal, and that of Mr. Oliver, the lieutenant-governor\*.

While the spirit of opposition was at the utmost height, intelligence was received of the act of the British legislature, permitting the East India Company to export tea, free from duty, to all other parts of the globe, while it was charged with a duty of threepence per pound on its arrival in America†. Since the non-importation agreements, the colonists had been principally supplied with tea smuggled from Holland; as the duty taken off in England was one shilling per pound, if the introduction was now permitted, its cheapness would form an irresistible counteraction to the non-importation covenants, and a duty would be received by England from America, notwithstanding all the efforts of opposition. The press again poured forth a torrent of invective, and imputed every sinister design to the mother-country; the duty on tea was represented as a prelude to various other impositions, and the colonists were taught to expect a window-tax, a hearth-tax, a land-tax, and a poll-tax, as immediate and inevitable consequences.

Proceedings  
at Boston.

Several of the provinces, influenced by these representations, compelled the consignees of tea to

\* In a speech before the privy council, which will be noticed hereafter, Mr. Wedderburne gave the following animated and just account of this transaction: "That Dr. Franklin sent these letters to such persons as he thought would, in some way or other, bring them into the assembly, may be true. And, accordingly, after an alarm of some dreadful discovery, these letters were produced by one single person, pretending to be under an injunction to observe the strictest secrecy, and to suffer no copies to be taken of them. After allowing two or three days for fame to amplify, and for party malice to exaggerate; and after having thereby raised a general prejudice against the governor; at length another member tells the assembly that he had received from an unknown hand a copy of the letters; and wished to have that copy compared and authenticated with the originals. After this, when they had brought the council into their measures, they then found their powers enlarged; and that they were at liberty to shew them to any one, provided they did not suffer them to go out of their hands; and the King's Governor and Lieutenant-governor were permitted to look upon them only in this opprobrious manner, in order to render the indignity so much the more offensive."

† Macpherson's Annals of Commerce, vol. iii. p. 545.

renounce their agency, and entered into strenuous resolutions against purchasing or permitting it to be landed. In Boston the same attempts were made; but the consignees, instead of yielding to the commands of the populace, implored protection of the governor, who immediately convened the council, and submitted the petition to their consideration. The council declined giving advice; the mob surrounded the houses of the consignees, and, on their still refusing to renounce their employ, broke their doors and windows, and compelled them to take refuge in Castle William; the governor's proclamation for suppressing this riot was contemned and derided, and the sheriff insulted while attempting to read it.

19th Nov.

The most violent opposition to the landing of tea being now expected, the first ship which arrived was detained below Castle William. An assembly of the people was convoked at the Old South meeting-house, called a Body-meting: this convention differed from a town-meeting, by being open to all persons, without inquiry as to qualification. It consisted of several thousands, collected, not only in Boston, but from all the circumjacent towns: the owner of the tea ship was summoned before them, and required to bring his vessel to the wharf; his compliance, as they knew, compelled him to enter his cargo at the custom-house, and he accordingly reported his tea, after which twenty days were allowed to land it and pay the duty.

Arrival of a ship.

Body-meeting.

The body-meeting having thus succeeded in creating a difficulty, passed a resolution that the tea should not be landed, nor the duty paid, but return in the same bottoms in which it was brought. This was placing the captain in an inextricable dilemma; for as the ship had been compelled to come to the wharf, and was entered at the custom-house, it could not be cleared out without the previous payment of the duties, nor could the governor grant a permit for the vessel to pass Castle William, without a certificate from the custom-house.

The body-meeting then appointed a military guard, to watch the ship every night till further orders. The

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consignees having been compelled to seek refuge from the fury of the populace, and the council having declined to interfere, the governor persevered in that line which the law marked out as his duty: his inflexibility in this point was opposed by an equal obstinacy on the part of the town's people, who rejected, with disdain, the offer of the consignees to land the tea, and store it under the care of the select men, or a committee of the town, till they could receive further orders from England.

Tea thrown  
into the sea.

Two more ships were now arrived, when the military guard was unexpectedly withdrawn, or the renewal omitted. A numerous mob, in the disguise of Mohawk Indians, suddenly sallied forth, boarded the ship, split open the chests, and committed the cargoes of tea to the waves. In this illegal transaction no wanton excess of violence was displayed, nor was any act of cruelty committed. The operation was conducted with as much order as if it had been perfectly legal; no property, except the tea, was destroyed; nor was personal injury inflicted on any but one man, who having filled his pockets with stolen tea, was despoiled, not only of his plunder but his apparel, and, by this summary act of licentious justice, reduced to the necessity of seeking his home naked.

Proceedings  
in other pro-  
vinces.

Measures were adopted in other provinces to prevent the landing; some ships were compelled to return without coming to anchor, and several cargoes were destroyed; but in no other place was such a systematic and overbearing spirit of opposition manifested as in Boston\*.

Impeach-  
ment of the  
chief justice.

The assembly, animated with the popularity of their late proceedings, omitted no opportunity of renewing personal contests with the governor. In the last session they declared, that judges, who received salaries from the crown instead of the people, would no longer enjoy the public confidence and esteem, and it would be the indispensable duty of the province to impeach them before the governor and council. Not

\* Stedman—Massachusetensis, Letter iv. Letter from the Rev. Dr. Cooper to Dr. Franklin (17th Dec.), King George the Third's Papers, vol. cxc. fo. 14.

intimidated by these threats, the judges refused to accept more than half of the sums granted by the house of representatives, who, in this session, put their menace in execution, by voting articles of impeachment against Peter Oliver, Esq. chief justice of the superior court of judicature, charging him with a design to subvert the constitution of the province, and to introduce into the court over which he presided, a partial, arbitrary and corrupt administration of justice, in consequence of which he had declined receiving grants of the general assembly, but accepted an annual stipend from His Majesty's ministers.

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1774.  
24th Feb.

In a letter addressed to the House, the magistrate remonstrated, that, during the seventeen years he had been in office, he was unconscious of any violation of the laws in his judicial capacity; he had sustained, by privation of business, and the insufficiency of his stipends, a loss exceeding three thousand pounds sterling; he had not solicited a salary from the King; but when it was offered, duty and gratitude to the best of sovereigns induced him to accept the munificent donation. This appeal was insufficient to disarm the fury of the assembly; the impeachment was voted by a large majority\*; but the governor, disclaiming any authority to try and determine high crimes and misdemeanors, refused to receive it. The representatives persevering in their attempt, and renewing the impeachment in another form, Hutchinson dissolved the assembly. His speech was couched in terms of severe reprehension: he said, "As some of your votes, resolves, and other proceedings, which you have suffered to be made public, strike directly at the honour and authority of the King and parliament, I may not neglect bearing public testimony against them, and making use of the power vested in me by the constitution, to prevent your further proceeding in the same way."

His letter.

30th Mar.  
Assembly  
dissolved.

Before any measures were taken in parliament

Massachusetts's  
petition.

\* 92 to 8.

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Account of  
the letters,  
and manner  
of obtaining  
them.

respecting the transactions in America, the petition of the legislature of Massachusetts, founded on certain letters, was heard before the committee of the privy council, to whom it had been referred by His Majesty. It is necessary to enter into some details, so far as very imperfect disclosures will permit, of the manner in which these documents were obtained, and of proceedings on the petition which produced effects utterly disproportioned to any expectation which could reasonably have been formed.

The letters were thirteen in number; six written by Mr. Hutchinson, between the 18th of June 1768, and the 26th of October 1769, long before he was governor. Mr. Oliver's were four; the first dated 7th May 1767, the last the 12th of August 1769, within which period he was not lieutenant-governor. The remaining three were from different persons in 1768. The letters of Mr. Hutchinson were those of a person who perfectly understood the constitution of the country, viewing with alarm and apprehension the daily inroads made on it, and desirous to protect it if possible. His counsels do not seem dictated by a spirit of violence, nor were they imparted in terms of undue warmth: they are the effusions of a thinking mind, occupied in discussing public affairs of the first moment: he did not pretend to disclose private or confidential communications, but detailed free opinions relative to the politics of government, and the means of securing the dependence of the colonists, the termination of which he clearly anticipated. As he wrote with the utmost frankness, some expressions might be descanted on to his disadvantage; but his letters contained no information unfounded on fact, nor were his reasonings recommended by any promises to unite a party, or to assist in subverting the charter of the colony: he merely pointed out such means as were in his opinion calculated to counteract the daily infractions of the constitution, which were made under pretence of aspiring at English liberty, but were, in fact, most frequently founded on appeals to the abstract and

antisocial rights of nature. The letters of Mr. Oliver\* were of the same character; but his counsels were more specific; he recommended the removal of the principal incendiaries, the establishment of a patrician order, and several other measures; but his advice was no more than a confidential disclosure of his own particular opinions, and not combined with any proposition for giving effect to measures which might result from it.

There is nothing in these letters, as published, to denote to whom they were written; it afterward appeared that it was to Thomas Whately, Esquire, a member of parliament, and who had been private secretary to Mr. George Grenville†; nor would Dr. Franklin at any time disclose from whom he obtained them. Even his Memoirs and private memorandums contain no information on the subject, although, during the remainder of his days, his conduct was severely and justly stigmatized. His own account of his proceedings, the only feeble guide afforded us toward the truth, does not place his character in an honourable light.

From this narrative it appears, that when the concessions of the British government had nearly reconciled the greater portion of the American provinces to the operations which had excited so much discontent, and when the renewal of mercantile intercourse induced a hope that the contention was finally closed, the spirit of dissatisfaction was still kept alive in Massachusetts. "A personal animosity between Governor Barnard, Lieutenant-governor Hutchinson, and some distinguished patriots, contributed to perpetuate a flame of discontent in that province, although elsewhere it had visibly abated‡." Entertaining strong opinions of the improper conduct of the

\* The letters at large were published by Wilkie, in St. Paul's Church-yard, and by others, in various forms; and the reader may form a candid judgment from a perusal of the whole; a few phrases maliciously selected, and falsified by typographical artifice, can only lead to misapprehensions and fallacious conclusions.

† Memoirs of Dr. Franklin, vol. i. Appendix 7, p. 11.

‡ Same vol. p. 189.

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mother country toward the colonies, and that the sending of troops to Boston was a national measure, since none here opposed it, Dr. Franklin sometimes spoke of it in this light, and with some resentment, until he was "assured by a gentleman of character and distinction, whom he was not permitted to name (even at a much later period of his life, when he was writing his Memoirs), that not only the measure he particularly censured so warmly, but all the other grievances he complained of, took their rise, not from the government in England, but were projected, proposed to administration, solicited, and obtained by some of the most respectable among the Americans themselves, as necessary measures for the welfare of the country\*."

To remove some doubts which he appeared to entertain, and in the hope of convincing him, and, through him, his countrymen, this unnamed gentleman produced the letters which became the subject of so much discussion. Dr. Franklin wished to convince the people of America that the source of their complaints did not arise here, and felt it his duty to give his constituents intelligence of such importance to their affairs; but the gentleman would not permit copies to be taken; nor would copies have contained proof of their own authenticity; and as a mere report of them as papers he had seen would have been still less certain, he obtained the use of the originals, on the express conditions that they should not be printed; that no copies should be taken of them; that they should be shewn only to a few of the leading people of the government, and that they should be carefully returned. "I accepted those conditions," he says, "and, under the same, transmitted the original letters to the committee of correspondence at Boston, without taking or reserving any copy of them for myself. I agreed the more willingly to the restraint, from an apprehension that a publication might, considering the state of irritation in which the minds of the

\* Same vol. p. 180.

“ people there had long been kept, occasion some riot of mischievous consequence. I had no other scruple in sending them ; for as they had been handed about here to injure that people, why not use them for their advantage ? The writers, too, had taken the same liberty with the letters of others, transmitting hither those of Rome and Auchmuty in confirmation of their own calumnies against the Americans ; copies of some of mine, too, had been returned here by officers of government ; why then should theirs be exempt from the same treatment ? To whom they had been directed here I could only conjecture ; for I was not informed, and there was no address upon them when I received them.”

It is not easy to conceive the motive which could lead Dr. Franklin to put upon paper this strange unsatisfactory narrative. It could not have been to justify himself in the eyes of his friends ; the matter had fallen into disregard, and the success of his measures against this country had placed him above the necessity of such a proceeding ; if it was to satisfy the impartial portion of mankind of the correctness of his conduct and the purity of his motives, the attempt might with more advantage to himself have been renounced. The art evidently shewn in concealing the name of the person from whom he obtained the letters, destroys all confidence in his statement. Had he presumed to name any one, a direct contradiction might, and probably would, have been given ; but as they had avowedly been the property of a person who was dead, it is not difficult to imagine that they were surreptitiously taken from the place where they had been deposited, and came to the hands of the doctor in a manner far less creditable to him than that which he has assigned. It is evident that the correspondence must have consisted of many more letters ; that the few which were published were malignantly selected, and that, had all the others been communicated, a very different impression might have been made. It is most probable that the whole correspondence was purloined from the papers of the gentleman deceased,



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and that, after the selection was made, the residue was destroyed, so that the whole truth should never be known. It seems like trifling with the understanding of mankind to assert, with a hope of being believed, that original papers, of which no copies were to be made, should be transmitted beyond the Atlantic to persons who made no promise to the original possessor, or who, if they did make a promise and violated it, could not be called to any account. Nor can it be believed that when Franklin sent those letters to a committee composed, as he knew it was, of Mr. Hancock and other personal enemies of Hutchinson and Oliver, and political foes to Great Britain, when "the whole committee of correspondence, five more who were named, and such others as the committee might think fit to shew them to," were to enjoy the benefits of the communication, any promise was exacted, or if, for form's sake he had required it, that a man of his sagacity could have relied on it, especially when persons unknown were to be among those who were trusted\*.

Their effect  
in America.

In the state of mind which prevailed in America, a temperate view of these letters could not be ex-

\* That an injunction against taking copies accompanied these letters, will appear from one of Dr. Franklin's to Dr. Cooper, 7th July, 1773; and it may easily be seen how little he expected, or even desired, that it should be observed. "You mention the surprise of gentlemen to whom those letters have been communicated, at the restrictions with which they were accompanied, and which they suppose render them incapable of answering any important end. One great reason of forbidding their publication, was an apprehension that it might put all the possessors of such correspondence here upon their guard, and so prevent the obtaining more of it. And it was imagined that shewing the originals to so many as were named, and to a few such others as they might think fit, would be sufficient to establish the authenticity, and to spread through the province so just an estimation of the writers, as to strip them of all their deluded friends, and demolish effectually their interest and influence. The letters might be shewn even to some of the governor's and lieutenant-governor's partizans, and spoken of to every body; for there was no restraint proposed to talking of them, but only to copying. However, the terms given with them could only be those with which they were received." And, after the publication had taken place, he writes to the Honourable Henry Cushing, chairman of the committee of correspondence, 25th July, 1773, "I am favoured with yours of June 14th and 16th, containing some copies of the resolves of the committee upon the letters. I see, by your account of the transaction, that you could not well prevent what was done. As to the report of other copies being come from England, I know that could not be. It was an expedient to disengage the house. I hope the possession of the originals, and the proceedings upon them, will be attended with salutary effects to the province, and then I shall be well pleased." *Memoirs of Benjamin Franklin*, vol. ii. pp. 194, 197.

pected ; passion, interest, and faction, combined in the efforts to render the writers universally odious. The committees of correspondence printed, and inclosed in a circular address, the letters of the governor and lieutenant-governor, and the resolves of the assembly : the ferment became general ; town meetings were held, and violent resolutions adopted ; one town even declared it was better to risk their lives and fortunes in defence of their rights, civil and religious, than to die by piecemeal in slavery. A natural consequence of this ferment was the petition to the King which Dr. Franklin, as agent for the province, had presented to Lord Dartmouth. A counter petition, on behalf of the governor and lieutenant-governor, praying to be heard by counsel on the allegations against them, was sent in by Mr. Mauduit, and both were referred to the committee of the privy council for Plantation affairs.

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Jan. 10.

Pending these transactions, Mr. William Whately, brother of the gentleman from whose effects these letters appear to have been purloined, supposing that Mr. John Temple, of Boston\*, had been instrumental in obtaining and publishing them, discussions in the public prints between them, occasioned a duel in Hyde Park, in which Mr. Whately received a wound, and the parties were separated. Considering that the conflict, which had only been interrupted, would probably be renewed, Dr. Franklin wrote to one of the newspapers a letter, in which he said, " I think it incumbent on me to declare (for the prevention of future mischief) that I alone am the person who obtained and transmitted to Boston the letters in question. Mr. Whately could not communicate them, because they were never in his possession ; and, for the same reason, they could not be taken from him by Mr. Temple. They were not of the nature of *private letters between friends* ; they were written by public

1773.  
Dec. 11.  
Duel between Mr. Whately and Mr. Temple.

25th.  
Dr. Franklin's letter.

\* In the Annual Register for 1773, p. 152, he is styled Lieutenant-Governor of New Hampshire. An account of the origin and course of this quarrel is given in the Memoirs of Franklin, vol. i. Appendix 7, p. 62.

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“ officers to persons in public stations, on public affairs,  
 “ and intended to procure public measures ; they were  
 “ therefore handed to other public persons, who might  
 “ be influenced by them to produce those measures :  
 “ their tendency was to incense the mother country  
 “ against her colonies, and, by the steps recommended,  
 “ to widen the breach ; which they effected.”

Jan. 11.  
 Proceedings  
 in the privy  
 council.

29th.

On the hearing before the committee of the privy council, Dr. Franklin and Mr. Bollan, as agents, appeared for the House of Assembly ; on the other side, Mr. Mauduit attended, with Mr. Wedderburne, the solicitor-general, as his counsel. After a few short preliminary questions, Dr. Franklin said he did not expect that counsel would have been employed ; and, although it was shewn that he had notice of the prayer of Mr. Mauduit's petition to that effect, the court acceded to his request of a delay. On the appointed day he presented himself, with Mr. Dunning and Mr. Lee as his advocates ; the attendance of the council was unusually full, thirty-five members being present, and the anti-room was thronged with persons desirous of admission. To substantiate the complaints of the assembly, Mr. Dunning read extracts from the letters which had been selected for him by Dr. Franklin, and which were cited to prove that the two parties complained of were unworthy of the confidence either of the English government or of the assembly. Nothing could be imagined of less importance than the passages produced, if read with their entire context, and with proper references to time and occasion. One was a suggestion by Mr. Oliver, that government might stipulate with the merchants of England for the purchase of large quantities of goods, fit for the American market, and abstain from shipping them until the Americans should clamour for a supply. The merchant might then put an advanced price upon his wares, and possibly be able to make his own terms : or, if it should be found that they would not bear an augmentation of price to indemnify him, it might be worth while for the government to agree with the

merchants before hand to allow them a premium equivalent to the advance of their stock, and *then the game would be over*\*.

In another passage, it was averred that Mr. Oliver indirectly recommended assassination; his words being, "that some method should be devised to *take off* the "original incendiaries, whose writings supplied the "fuel of sedition through the Boston Gazette †. One "expression of Governor Hutchinson's is cited, as "sufficient, alone, to justify all the complaints which "were made, and to call for the immediate dismissal "of an officer so hostile to the rights and liberties of "his countrymen." He declared that there must be an abridgment of English liberties in the colonies ‡.

No report of the speeches made by Mr. Dunning and Mr. Lee has ever been published. Dr. Priestly insinuates that they made no great exertions. Mr. Dunning, he says, was so hoarse, that he could hardly make himself heard, and Mr. Lee spoke but feebly in reply §. Had their abilities been greater, if possible,

\* This passage was taken from a letter dated the 7th of May, 1767. In Dr. Franklin's Memoirs, vol. i. Appendix 7, p. 58, the last words are said to be, *the game will be up with my countrymen*. This falsification could answer but little purpose; for the beginning of the paragraph shews clearly that the game alluded to was the infusion of an alarm, that the manufacturers of England would rise again and defeat the measures of government. "This game," he says, "has "been played once, and succeeded."

† This passage, from the same work and page, is equally falsified with the former. It is, "be their determination what it will, it is the determination of "some to agree to no terms that shall remove us from our old foundation. This "confirms me in an opinion that I have taken up a long time since, that if there "be no way to take off the original incendiaries, they will still continue to instil "their poison into the minds of the people, through the vehicle of the Boston "Gazette." Such was the phrase relied on to warrant an opinion that a proposal could be made to a British government to authorise acts of assassination. There are means, very different from murder, by which newspaper patriots may be *taken off*. The phrase is not elegant or well chosen; but uncommon malignity must be employed to fix on the writer a charge of suggesting assassination.

‡ Ibid. And false again. Mr. Hutchinson having written, in October and December, 1768, accounts of the proceedings of men calling themselves "sons of "liberty," in insulting government, maltreating and abusing public officers, and even preventing the assembling of juries, continuing the subject on the 26th of January, 1769, said, "I never think of the measures necessary for the peace and "good order of the colonies without pain. There must be an abridgment of *what are called* English liberties. I relieve myself, by considering that, in a remove from the state of nature to the most perfect state of government, there must be a great restraint of natural liberty. I doubt whether it is possible to project a system of government in which a colony three thousand miles distant from the parent state shall enjoy all the liberties of the parent state."

§ In a letter in the Monthly Magazine, dated 10th Nov. 1802, reprinted in Franklin's Memoirs, vol. i. p. 184.

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Mr. Wedder-  
burne's  
speech.

than they were, the incumbrance of such a case was sufficient to depress them.

Mr. Wedderburne made a speech of great celebrity, and productive of effects more important and extensive than often result from addresses of the same description. It was argumentative, learned, witty, and peculiarly vituperative of Dr. Franklin. The present question, he observed, was of no less magnitude than whether the crown should ever have it in his power to employ a faithful and steady servant in the administration of a colony. In the appointment of Mr. Hutchinson, His Majesty's choice followed the wishes of his people; and no other man could have been named, in whom so many favourable circumstances concurred to recommend him. A native of the country, whose ancestors were among its first settlers. A gentleman, who had, for many years, presided in the law courts; of tried integrity; of confessed abilities; and who had long employed those abilities in the study of their history and original constitution. Against him they did not attempt to allege one single act of misconduct, during the four years in which he had been governor. A charge of some sort was to be preferred against him and the lieutenant-governor, and His Majesty was prayed to punish them by a disgraceful removal.

From a review of the history of American transactions during the last ten years, he shewed that Mr. Hutchinson had, on all occasions, proved himself alike the friend of government and the colony; he said, "I now come to consider the argument upon that footing on which my learned friends have chosen to place it. They have read to your Lordships the assembly's address; they have read the letters; and they have read the censures passed on them: and, after praying the removal of His Majesty's Governor and Lieutenant-Governor, they now tell your Lordships there is no cause to try—there is no charge—there are no accusers—there are no proofs. They say that the Governor and Lieutenant-Governor are disliked by the assembly, and they ought to be dis-

“ missed, because they have lost the confidence of  
 “ those who complain against them. This is so very  
 “ extraordinary a proceeding, that I know of no pre-  
 “ cedent, except one; but that, I confess, according  
 “ to the Roman poet’s report, is a case in point.

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“ ‘ Nunquam, si quid mihi credis, amavi  
 “ ‘ Hunc hominem. Sed quo cecidit sub crimine? Quisnam  
 “ ‘ Delator?—Quibus indicibus?—Quo teste probavit?  
 “ ‘ Nil horum—verbosa et grandis epistola venit  
 “ ‘ A Capreis—bene habet: nil plus interrogo.’ ”

Mr. Wedderburne then proceeded to examine into the manner in which the letters had been obtained and published. “ How they came into the possession of any one but the right owners,” he said, “ is still a mystery for Dr. Franklin to explain. The late Mr. Whately was most scrupulously cautious about his letters. These I believe were in his custody at his death; and I as firmly believe that, without fraud, they could not have been got out of the custody of the person whose hands they fell into. Wherein had my late worthy friend or his family offended Dr. Franklin, that he should first do so great an injury to the memory of the dead brother, by secreting and sending away his letters; and then, conscious of what he had done, should keep himself concealed, till he had nearly, very nearly, occasioned the murder of the other? After the mischiefs of this concealment had been left for five months to have their full operation, at length comes out a letter, which it is impossible to read without horror, expressive of the coolest and most deliberate malevolence. My Lords, what poetic fiction had only penned for the *breast* of a cruel African, Dr. Franklin has realized, and transcribed from his *own*. His too is the language of Zanga:

“ Know then ’twas—I.  
 “ I forged the letter—I dispos’d the picture—  
 “ I hated, I despis’d, and I destroy.”

Examining the reasons given by Dr. Franklin for

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causing the publication of the letters, he demonstrated, both from their contents and all circumstances connected with the writing of them, that they were purely and strictly private communications; that the intentions imputed to the writers, and the inferences drawn from them, were the mere effects of fallacy and misrepresentation; and particularly that, at the time of the correspondence, Mr. Whately could neither guide nor influence the proceedings of government; for, although a member of parliament, he voted with the opposition. "These are the letters," he said, "which Dr. Franklin treats as public letters, and has thought proper to secrete them for his own private purpose. How he got at them, or in whose hands they were at the time of Mr. Whately's death, the doctor has not yet thought proper to tell us. Till he do, he wittingly leaves the world at liberty to conjecture about them as they please, and to reason upon those conjectures. But let the letters have been lodged where they may, from the hour of Mr. Thomas Whately's death they became the property of his brother and of the Whately family. Dr. Franklin could not but know this, and that no one had a right to dispose of them but they only. Other receivers of goods dishonourably come by, may plead, as a pretence for keeping them, that they don't know who are the proprietors: in this case there was not the common excuse of ignorance; the doctor knew whose they were, and yet did not restore them to the right owner. This property is as sacred and as precious to gentlemen of integrity, as their family plate or jewels are: and no man who knows the Whatelys will doubt but that they would much sooner have chosen that any person should have taken their plate, and sent it to Holland for his avarice, than that he should have secreted the letters of their friend, their brother's friend, and their father's friend, and sent them away to Boston to gratify an enemy's malice."

Dr. Franklin was not warranted in saying that he transmitted the letters to his constituents; he sent

them only to a particular junto; for to them, and them *only*, were the letters communicated. Dr. Franklin did *not* communicate them, as their agent, to the assembly: for whatever may have been the whispers of this junto, the assembly, as an assembly, does not to this day know by whom the letters were sent. And so little do those innocent, well-meaning farmers, who compose the bulk of the assembly, know what they are about, that by the arts of their leaders they have been brought to vote an address to His Majesty to dismiss his governor and lieutenant-governor, founded upon certain papers which they have not named; sent to them from somebody, they know not whom, and originally directed to somebody, they cannot tell where: for my accounts say, that it did not appear to the House that these letters had ever been in London.

In conclusion, he said, "On the part of Mr. Hutchinson and Mr. Oliver, I am instructed to assure your Lordships that they feel no spark of resentment, even at the individuals who have done them this injustice. Their private letters breathe nothing but moderation. They are convinced that the people, though misled, are innocent. If the conduct of a few should provoke a just indignation, *they* would be the most forward, and, I trust, the most efficacious solicitors to avert its effects, and to excuse the men. They love the soil, the constitution, the people of New England; they look with reverence to this country, and with affection to that. For the sake of the people, they wish some faults corrected, anarchy abolished, and government re-established. But these salutary ends they wish to promote by the gentlest means; and the abridging of no liberties which a people can possibly use to its own advantage. A restraint from self-destruction is the only restraint they desire to be imposed upon New England."

The committee of the privy council speedily reported, "that the petition was founded on resolutions formed upon false and erroneous allegations; that it was groundless, vexatious, and scandalous, and

Decision of  
the privy  
council.



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“calculated only for the seditious purposes of keeping up a spirit of clamour and discontent in the province; that nothing which had been laid before them did or could in any manner impeach the honour, integrity or conduct of the governor or lieutenant-governor; and that the petition ought to be dismissed.” The King in council confirmed the report, and Dr. Franklin was dismissed from the office of deputy postmaster-general in America\*.

Observations.

This proceeding is one among the many instances of a government being in principle perfectly right, and yet, by not duly considering all surrounding circumstances, placing themselves in the wrong. It is impossible to screen the transaction in question, or the conduct of Dr. Franklin in relation to it, from the reproaches to which they were exposed; but the character of the inquiry, and the dignity of the tribunal to whose investigation it was submitted, were not duly considered. Ministers, taught by experience, ought to have known the degradation which they must inevitably incur when they elevated an individual into the rank of a personal opponent. Every word of censure uttered by Wedderburne, whether applied to the patriots of Massachusetts or to their agent, was most strictly just; but, from the place in which his speech was pronounced, many advantages in public consideration resulted to his adversary. The question before the privy council, one entirely of politics, and the highest interests of the nation, was treated as if it had been a suit between private parties in which damages were to be given, withheld or moderated according to the opinions entertained by a jury of the conduct of an agent or the character of a witness. The petition could not be borne out by the letters on which it was founded, and the manner in which they were obtained and disclosed was most flagitious; but even the strength acquired by the advocate from these circumstances was impaired by the tyrannous use which he made of

\* In this narrative, the publication by Wilkie of the Letters of Governor Hutchinson, and the Memoirs of Dr. Franklin, vol. i. p. 183 to 219; vol. ii. p. 289, have been chiefly relied on.

it. The picture of the proceeding was calculated to heat and to harden those who were already attached to the cause of the colony and its agent, and to place their opponents in the unhappy situation of expressing their satisfaction by boisterous joy, or of mitigating censure by arguments of palliation or excuse.

Dr. Franklin, who had recently completed his sixty-seventh year\*, who was known and honoured in the most eminent philosophical and literary societies in Europe†, sat with his grey, unadorned locks, a hearer of one of the severest invectives that ever proceeded from the tongue of man, and an observer of a boisterous and obstreperous merriment and exultation, which added nothing to the dignity of his judges‡. He had sufficient self-command to suppress all display of feeling; but the transactions of the day sunk deeply into his mind, and produced an unextinguishable rancour against this country, which coloured all the acts of his subsequent life, and occasioned extensive and ever memorable consequences.

As a sequel to, or rather a portion of, these proceedings (for Mr. Wedderburne alluded to it in his speech), Mr. Whately was induced, as administrator of his late brother Thomas Whately, to file a bill in chancery against Dr. Franklin. The ostensible purpose of the suit was to obtain from the defendant a restitution of profits supposed to have been derived from the publication and sale of the letters; the real one, to force from him, by means of interrogatories, a

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Bill filed in  
Chancery  
against  
Franklin.

\* He was born the 17th of January, 1706.

† This circumstance, it is said, was used as the means of stigmatizing him. "He has forfeited," the solicitor-general exclaimed, "all the respect of societies and of men. Into what companies will he hereafter go with an unembarrassed face, or the honest intrepidity of virtue? Men will watch him with a jealous eye; they will hide their papers from him, and lock up their escritaires. He will henceforth esteem it a libel to be called a man of letters—*homo trium literarum*," (i. e. *FUR*, a thief). Memoirs of Dr. Franklin, vol. i. Appendix 7, p. 59. This passage does not appear in the publication by Wilkie; but I have no doubt of its being genuine.

‡ Mr. Wedderburne had a complete triumph. "At the sallies of his sarcastic wit, all the members of the council, the president himself, Lord Gower, not excepted, frequently laughed outright. No person belonging to the council behaved with decent gravity, except Lord North, who, coming late, took his stand behind a chair opposite me." Letter from Dr. Priestly to the Monthly Magazine, before referred to. Franklin's Memoirs, vol. i. p. 185.

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disclosure from whom he had received, and to whom transmitted those documents. To the first part, his answer was, that he had neither caused nor directed the printing of the letters, nor had he made, or ever intended to make, any profit by them. To the latter interrogatories he put in a demurrer, which was overruled; but before the process which they could have awarded against him, he had been by other affairs called from the kingdom\*.

Examination  
of his con-  
duct and mo-  
tives.

As consequences of the utmost importance flowed from the declared and active enmity of Dr. Franklin, it is proper to review the course of his proceedings, and, so far as his own disclosures afford the means, to ascertain the operations of his mind and feelings before this period. From the moment when the stamp act was imposed, he resisted it on the grounds both of right and expediency; and on those principles, as agent for the colonies, endeavoured to obtain its repeal, as Great Britain might be sure of greater aids from voluntary grants than from arbitrary taxes; by losing their respect and affection, she would lose more in that commerce than she could gain by the impost, and it would be detrimental to the harmony which had so happily subsisted, and was so essential to the welfare of the whole †. He did not insist that the Americans ought to be exempt from contributing to the common expenses necessary to the support of the empire; but that their own parliaments alone could judge what the colonists ought to contribute, and that their money could not be taken from them without their consent ‡. He was a strenuous advocate for the combinations against the use of British goods, both as means of coercion, through distress, and as favourable to the growth of industry and economy in America §.

\* Same Memoirs, vol. i. pp. 195, 204. It is asserted that he quitted England, because he was informed that a warrant had issued to arrest him on a charge of high treason. Memoirs, &c. vol. i. p. 222. But of this there is not the slightest appearance of evidence; and from the manner in which he lived, and the negotiations in which he was engaged during his stay, it is utterly improbable.

† Memoirs, vol. i. p. 188.

‡ Same, vol. ii. p. 176.

§ Ibid.

Yet he professed the most heartfelt attachment to the constitutional connexion between Great Britain and his own country; a great personal veneration for the King, and love for the people, believing only that a corrupt and vicious parliament imposed all the rigours, and prevented all the benefits which could be derived from such a sovereign and such a nation\*. He even went so far as to suggest that Great Britain ought to propose an union with America, similar to that between England and Scotland†. As the disputes of the two countries grew warmer, he, too, warmed; and, as he expresses much personal dislike of Governor Hutchinson, it is not improbable that that sentiment had some effect in impelling him to the unwarrant-

\* A passage expressive of these sentiments is to be found in his letter to Dr. Cooper, referred to in vol. i. p. 430. In another, in the same collection of MSS. 27th April, 1769, the following passage occurs. "I hope nothing that has happened, or may happen, will diminish our loyalty to our sovereign, or affection for this nation in general. I can scarcely conceive a King of a better disposition, of more exemplary virtues, or more truly desirous of promoting the welfare of all his subjects. The people are of a noble and generous nature, and we have many friends among them; but the Parliament is neither wise nor just; I hope it will be wiser and juster another year." This was a mere private letter of friendship, and contained, most probably, the undisguised, unvarnished sentiments of the writer. In another, written at a much more advanced period of the struggle, to the Honourable Thomas Cushing, the Speaker of the House of Assembly, and probably intended to be generally communicated, he says, "When one considers the King's situation, surrounded by ministers, counsellors, and judges learned in the law, who are all of opinion that Parliament can make laws of sufficient force and validity to bind its subjects in America, in all cases whatsoever, and reflect how necessary it is for him to be well with his Parliament, from whose yearly grants his fleets and armies are to be supported, and the deficiencies of his civil list supplied, it is not to be wondered at that he should be firm in an opinion established as far as an act of parliament could establish it, by even the friends of America at the time they repealed the stamp act, and which is so generally thought right by his Lords and Commons, that any act of his, countenancing the contrary, would hazard his embroiling himself with those powerful bodies. And from hence it seems hardly to be expected from him, that he should take any step of that kind. The grievous instructions, indeed, might be withdrawn without their observing it, if His Majesty thought fit so to do; but, under the present prejudices of all about him, it seems that this is not yet likely to be advised." And in his Memoirs, when describing the course of conduct he had pursued on these subjects, he says, "I industriously, on all occasions, in my letters to America, represented the measures that were grievous to them, as being neither *royal* nor *national* measures, but the schemes of an administration which wished to recommend itself for its ingenuity in finance, or to avail itself of new revenues, in creating, by places and pensions, new dependencies; for that the King was a good and gracious prince, and the people of Britain their real friends. And on this side the water, I represented the people of America as fond of Britain, concerned for its interests and its glory, and without the least desire of separation from it. In both cases, I thought, and still think, I did not exceed the bounds of truth, and I have the heartfelt satisfaction attending good intentions, even when they are not successful."

† Letter to Dr. Cooper, 8th June, 1770. King George the Third's Papers.

able and dishonourable step which he took in relation to the letters\*.

Personal interest does not appear in any respect to have swayed him. His son was governor of New Jersey; he was deputy post-master-general of America, and enjoyed the well-earned credit of having greatly improved the regulations, and augmented the produce of that department. The emoluments derived from that and his agency, enabled him to enjoy life in England to the full extent of his moderate desires. During the Grafton administration he entertained a surmise of an intention to remove him; but the matter ended to his entire satisfaction†. He was, however, far from being disposed to surrender his position quietly‡. Nor does there appear to be the least foundation for Mr. Wedderburne's insinuation, that he had procured the removal of Governor Barnard, and struggled to effect that of Governor Hutchinson, in hopes of attaining the situation from which they were expelled.

\* This feeling of warmth and of dislike is shewn in a letter to Mr. Cushing, 7th July, 1773. "I thank you for the pamphlets you have sent me, containing the controversy between the governor and the two Houses. I have distributed them where I thought they would be of use. He makes, perhaps, as much of his argument as it will bear; but has the misfortune of being on the weak side, and so is put to shifts and quibbles, and the use of much sophistry and artifice, to give plausibility to his reasonings. The council and the assembly have greatly the advantage in point of fairness, perspicuity, and force. His precedents of acts of parliament binding the colonies, and our tacit consent to those acts, are all frivolous. Shall a guardian who has imposed upon, cheated, and plundered a minor under his care, who was unable to prevent it, plead those impositions after his ward has discovered them, as precedents and authorities for continuing them? There have been precedents, time out of mind, for robbing on Hounslow Heath; but the highwayman who robbed there yesterday, does, nevertheless, deserve hanging. I am glad to see the resolves of the Virginia House of Burgesses. There are brave spirits among that people. I hope their proposal will be readily complied with by all the colonies. It is natural to suppose, as you do, that if the oppressions continue, a congress may grow out of that correspondence. Nothing would more alarm our ministers; but if the colonies agree to hold a congress, I do not see how it can be prevented."

† Letter to his son, Governor Franklin, 2nd July, 1768. *Memoirs, &c.* vol. ii. p. 184. It is proper here to observe, that, in all the heat and violence of the subsequent contest, Governor Franklin retained his sentiments of loyalty, and his father never attempted to make him alter his opinions. p. 161.

‡ In a letter to Dr. Cooper he expresses this determination in characteristic terms. "I am deficient," he says, "in the Christian virtue of resignation. If they would have my office, they must take it. I have heard of some great man, whose rule it was, with regard to offices, never to ask for them—never to refuse them—to which I have added, in my own practice, never to resign them."

CHAPTER THE TWENTY-SECOND.

1774.

Meeting of Parliament.—King's speech.—Peace establishment.—Mr. Woodfall and Mr. Horne brought before the House of Commons for a libel—and discharged.—Act for trying the merits of controverted elections made perpetual.—American papers laid before Parliament.—The King's message.—Bill for shutting Boston Port.—Its progress through the House of Commons.—Petitions from the Americans resident in London.—Opposition in the House of Lords.—Bill for regulating the government of Massachusetts's Bay.—Proceedings in the House of Commons.—Protest in the Upper House.—Bill for the impartial administration of justice in America.—Opposition in the Lower House.—Debates and protest in the Lords.—Second petition from the Americans in London.—Motion for repealing the duty on tea.—Mr. Burke's famous speech.—Lord Chatham's speech on American affairs.—Bill for the government of Canada brought into the House of Lords.—View of the Bill.—Opposition, and defence in both Houses.—Petition from the Penn family—and from the Canada merchants.—Evidence examined.—Petition to the King.—Miscellaneous acts of the Legislature.—Close of the session.—King's speech.

THE extent of American disturbances was not fully known when the British parliament assembled. The King, in his speech, reviewed the state of the continent, and anticipated a long duration of peace; he recommended attention to internal and domestic improvement, and mentioned the deteriorated state of the gold coin, as an object claiming peculiar exertions.

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1774.  
13th Jan.  
Meeting of  
Parliament.  
King's  
speech.

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Peace esta-  
blishment.11th Feb.  
Woodfall  
and Horne  
brought be-  
fore the  
House of  
Commons.

The address was voted in both Houses without division or debate.

The early part of the session was employed in fixing the number of seamen and soldiers on the peace establishment; on Mr. Sawbridge's annual motion for shortening the duration of parliament; and on Sir George Savile's similar effort to procure a bill for securing the rights of electors, and for declaring the proceedings relative to the Middlesex election illegal; both which were rejected.

Some attention was also excited by a proceeding against Henry Sampson Woodfall, printer of the Public Advertiser, and the Rev. John Horne, for a libel on the Speaker of the House of Commons, in a letter signed "Strike, but hear," charging him, in gross terms and much ribaldry, with injustice and partiality. This scurrilous effusion arose out of a petition and counter-petition on an inclosure bill, presented by Sir Edward Astley, and opposed by Mr. William Tooke. Sir Fletcher Norton complained to the House; and, having obtained the testimony of Sir Edward Ashley, who presented both the petitions, of Alderman Sawbridge, Colonel Jennings, and Sir John Turner, who knew the progress of the affair, in favour of his rectitude on the particular occasion, and his general impartiality, declared himself satisfied, and expressed disregard of the scurrility and falsehoods contained in that scandalous libel.

Mr. Herbert thought the dignity of Parliament would be degraded if a matter of such importance passed with impunity, and moved for bringing the printer before the House. Sir Joseph Mawbey thought the intention of the libeller was to injure the liberty of the press, and create a variance between the King and the City, and therefore wished the House to abstain from noticing the libel, and referred the Speaker to the courts of law for redress. Mr. Fox, agreeing with Sir Joseph respecting the views of the writer, differed in his conclusions. The letter was full of such flagrant falsehoods, that no man of sense could place belief in it; but was any member, much less the

Speaker, to be so grossly libelled, and obliged to descend to a law-suit? No! he hoped they would always maintain their prerogative, and protect themselves; it would be no less absurd, he said, for them to appeal to an inferior court, than for the Court of King's Bench to apply for protection to the Court of Common Pleas. The consequences arising from the motion were dreaded, because the lenity formerly shewn had led printers to conceive themselves entitled to libel any member; and, if suffered to proceed, they would next claim, as a privilege, the right of libelling whom they pleased. After a debate of some length, in which a resistance to the order of the House, by some alderman ambitious of popularity, was anticipated, and the futility of the claim of the city to obstruct the execution of the Speaker's warrant, fully established, the paper was unanimously voted a libel, and the printer ordered to attend.

Mr. Woodfall obeyed without hesitation; and, on his interrogatory, declared the Rev. John Horne author of the obnoxious paper. A strenuous debate ensued, in which the Speaker proposed committing the printer to the custody of the Serjeant-at-arms; Mr. Fox, after some observations on the enormity of the offence, recommended Newgate; Lord North gave his suffrage for the milder course. The question being pressed to a division, Mr. Fox and he voted on opposite sides\*, and Mr. Woodfall was taken into custody by the Serjeant-at-arms. On a subsequent day, on a petition expressive of his regret, he was discharged. After some demurs relative to the summons, and the correctness of his name and designation in it, Mr. Horne was brought before the House. He extricated himself from the accusation with great dexterity. Having attempted to remove the imputation of contumacy, he inquired whether Mr. Woodfall's declarations were to be taken as evidence, or as the charge against him: after some hesitation, he was told they constituted the charge, and pleaded, as in any other court, *not guilty*. The House was embarrassed: Mr. Woodfall was again

14th Feb.

Act 20 -

17th.

\* The numbers were, 152 to 68.



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1774.

18th Feb.  
And dis-  
charged.Feb. 16th.  
Mr. Fox  
complains of  
a libel.

called and confronted with Mr. Horne; but as he was implicated in the guilt of the publication, his unconfirmed testimony was deemed insufficient to warrant conviction. Three of Mr. Woodfall's journeymen afterwards attended; but they utterly failed, in proving the accusation, and Mr. Horne was discharged\*.

Another libel, published in the daily papers, was introduced to the attention of Parliament by Mr. Fox, who read from "The Public Advertiser and The Morning Chronicle," a letter signed "A South Briton," in which the curses denounced in the Holy Writ against those who commit certain flagitious offences, were recapitulated and applied to King William and Queen Mary, and all who had assisted in the revolution, which the writer termed a rebellion, and denied to be glorious. He went on to stigmatize subsequent proceedings in different reigns, and cited the national debt, the taxes, and the issue of Bank-notes, as a proof that, instead of a blessing, the revolution was a curse on us and our posterity for ever. All our treasures, the writer said, had been expended to make the poor and distressed States of Holland high and mighty, the poor Electorate of Hanover rich and wealthy, and to place the subjects of Great Britain and Ireland in poverty, distress, and slavery. Much more ribaldry of the same kind occurred: the standing army of great placemen, excisemen, custom-house officers, and of devouring locusts, called pensioners, and the standing army of soldiers, were said to be the

\* A lively, but, in many respects, incorrect account of this transaction is given in Mr. Stephens's *Life of Horne Tooke*, vol. i. p. 422. By that narrative, it appears that the publication was planned for the purpose of bringing strongly to the notice of parliament the petition of Mr. Tooke, whose surname Mr. Horne afterward assumed, and with whom he lived on terms of affectionate intimacy. One of the objections raised against the summons, was the use of the word reverend, as Mr. Horne had then recently resigned, so far as he could, his clerical character, surrendered his living at Brentford, and entered his name as a student in the Inner Temple, for the purpose of being called to the bar. Serjeant Glynn assigned this as a reason for his not agreeing in the description given of him. Many were of opinion, he said, that the clerical character was indelible, and that he who had assumed it could not become a member of a legal profession; if such an objection should, at any future time, be urged, it would be very injurious to Mr. Horne's interest that his own admission that he was a clergyman should be pressed against him.

means by which our liberties were become merely nominal; and our property of every sort, whenever the King should please, could be wiped out with a sponge. Such was the state of religion, that, in a few years, the Church of England would, without a special interposition of Providence, be extinct; and, as for morality, our governors, by their wicked examples of bribery, corruption, dissipation, gaming, and every species of wickedness, had so debauched the public mind, that morality, like liberty, property, and religion, had almost vanished from these once happy isles.

Mr. Fox declared himself so much an enemy to all libels, to all licentiousness of the press, although a friend to its legal liberty, that he would bring libels of every denomination into notice, in hope of putting a stop to so scandalous a practice. Upon this occasion he should think the House dishonoured if any debate arose upon his motion, which was, "that the letter was a false, scandalous, and traitorous libel, tending to alienate the affections of his loyal subjects from His Majesty and his family."

No opposition was offered to the motion; but Mr. Thomas Townshend declared the libel to be unworthy of the attention of the House, from its amazing stupidity: it had neither wit, sense, spirit, nor understanding, and was too contemptible for notice. But he could not help observing how extraordinary it must appear, that while Dr. Shebbeare and Dr. Johnson, who had both been revilers of the revolution and its principles, were pensioned by the administration, this wretched South Briton was to be prosecuted. The descendants of those who brought the revolution to bear were not men who met with honour at present; nay, the revilers of those ancestors received countenance and protection. He looked round to the descendants of Lord Russell, who were in the House, for confirmation of what he advanced; he did not himself think it a dishonour to say that he had a drop of the blood of Sidney in his veins; but he thought, when so much countenance, and even reward, were

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given to the greatest enemies of the revolution and its principles, the present proceeding was not very consistent.

Mr. Fox denied the propriety of coupling Dr. Johnson with Dr. Shebbeare; he knew not the passages in Dr. Johnson's writings to which allusion had been made, but said that the peculiar opinions of men of great literary ability, dropped in works not professedly political, ought not to subject them to prosecution. Lord North did not think himself called upon to defend pensions which were granted by ministers who had preceded him. As to the work of Sir John Dalrymple, which had been alluded to as containing reflections on Lord Russell and Algernon Sidney, he knew that every paper published in it was authentic, that is, all the letters, whether their contents were true or false, were written by the French minister here; but he had never seen the book until it had been published; and if Mr. Townshend had bought it, their encouragement of it had been equal.

A prosecution by the attorney-general of the authors, printers, and publishers of the libel was ordered.

25th Feb.  
Grenville  
act made  
perpetual.

Anticipating a general election, Sir Edward Stanley moved for leave to bring in a bill, to render perpetual the law, introduced under the auspices of the late George Grenville, for trying controverted elections by committees. The motion produced an animated debate, in which the question was not treated as an affair of party, but discussed freely on the merits. The principal objections against now rendering the act perpetual, were, the approach of a general election, which would afford opportunities of obtaining more decided experience of its benefits; and the impropriety of the House surrendering its own privileges. In answer to the first, it was stated, that five instances had already occurred, and not one trial had been improperly decided. Mr. Dunning humourously apologized for supporting the motion. "No person," he said, "had a juster right to resist the bill than himself; it had done him great injury; for, since the act, not one trial had come into Westminster-hall; and he

"was confident, were it made perpetual, there never would be one. At a general election, even with all the faults that had been stated, it would be found a glorious act." In answer to the argument against the resignation of privileges, the improper means used to influence members in former times were detailed by Lord George Germaine. "The parties used," he said, "to apply to one set of the House to be their managers, another set to give their attendance and interest; to a third set, with whom they were intimate, they would apply for their vote; and to the lazy part of the House, they would say, we won't trouble you to attend the dry examination of witnesses; only let us know where you will be, and when the question is going to be put, we'll send you a card." The motion was at length carried\*, and the bill passed†.

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Alderman Sawbridge made his accustomed motion for shortening the duration of parliament. The attempt would not require notice, but for the manner in which, with allusion to recent transactions, the

Feb. 15th.  
Alderman  
Sawbridge's  
annual mo-  
tion.

\* 250 to 122.

† The merits of this celebrated law are thus elegantly described by Dr. Johnson: "The new mode of trying elections, if it be found effectual, will diffuse its consequences further than seems yet to be foreseen. It is, I believe, generally considered as advantageous only to those who claim seats in parliament: but, if to choose representatives be one of the most valuable rights of Englishmen, every voter must consider that law as adding to his happiness which makes his suffrage efficacious; since it was in vain to choose while the election should be controlled by any other power. With what imperious contempt of ancient rights, and what audaciousness of arbitrary authority, former parliaments have judged the disputes about elections, it is not necessary to relate. The claim of a candidate, and the right of electors, are said scarcely to have been, even in appearance, referred to conscience; but to have been decided by party, by passion, by prejudice, or by frolic. To have friends in the borough was of little use to him who wanted friends in the House; a pretence was easily found to evade a majority, and the seat was at last his, that was chosen, not by his electors, but his fellow senators. Thus the nation was insulted with a mock election, and the parliament was filled with spurious representatives; one of the most important claims, that of a right to sit in the supreme council of the kingdom, was debated in jest, and no man could be confident of success from the justice of his cause. A disputed election is now tried with the same scrupulousness and solemnity as any other title. The candidate that has deserved well of his neighbours may now be certain of enjoying the effect of their approbation; and the elector who has voted honestly for known merit may be certain that he has not voted in vain." See *The Patriot*, Johnson's Works. Lord Chatham spoke of it in terms equally laudatory. This happy event, he wrote on its passing the Commons, is a dawn of better times; it is the last prop of parliament; should it be lost in its passage, the legislature will fall into incurable contempt and detestation of the nation. The act does honour to the statute-book, and will endear for ever the memory of the framer. Letter to the Earl of Shelburne, 6th March, 1774; Correspondence, vol. iv. p. 332.

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probable evils of a septennial legislature were described. "Members having obtained a seat," he said, "for so long a term as seven years, may consider themselves as having obtained a beneficial lease; and, although they come into the House with tolerably pure intentions, falling in the way of ministers, or the procurer for ministers, may be tempted to deviate from the path of virtue; and when that is once quitted, you know, Sir, how rarely it has ever been regained. What have we not to dread from such a House of Commons? May they not determine that their resolutions are superior to the law of the land? May they not arrogate to themselves the executive as well as legislative authority, and arbitrarily punish persons who have not been legally convicted of any offence against the known laws of the land? May they not imprison magistrates for having faithfully discharged their duty?" He added some other suppositions referring to the Middlesex election, the civil list, and other points of popular discussion; but, as usual, failed on a division\*.

American  
papers laid  
before Par-  
liament.  
4th March.  
7th.  
King's mes-  
sage.

Great alarm and uneasiness were excited in the public by the intelligence received from America, when, at length, Lord North, having previously intimated his intention, submitted to Parliament the papers relative to the destruction of tea. They were introduced by a message from the King, stating that unwarrantable and outrageous proceedings, obstructing the national commerce, and subversive of the constitution, having been adopted in North America, and particularly at Boston, His Majesty thought fit to lay the whole matter before Parliament; confiding in their zeal for his authority, and attachment to the welfare of all his dominions, for effectual powers to put an immediate stop to those disorders; and for further regulations and permanent provisions, more effectually to secure the execution of the laws, and the just dependence of the colonies on the Crown and Parliament of Great Britain. Loyal addresses were returned without divisions, although in the Lower House smart

14th.

\* 221 to 94.

animadversions were made, and a conflict of sarcastic wit was maintained between Mr. Burke and the Solicitor-General.

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On the documents presented to Parliament, which exceeded one hundred, and consisted of copies and extracts of letters from the different magistrates and officers in America, the votes and resolutions of the inhabitants of Boston, and other interesting communications, Lord North founded a motion for a bill to remove the revenue officers from Boston, and to discontinue the landing and shipping of merchandize at the town or within the harbour\*.

Bill for shutting Boston port.

In recommending this measure, the minister asserted, that the present disorders were entirely occasioned by the inhabitants of Boston: our commerce could not be secure while it remained in that harbour, where the officers of the customs had been thrice prevented from doing their duty; and stated the necessity of finding some other port, where the laws could afford full protection. Anticipating an objection that, in a measure so general, some innocent persons would suffer with the guilty; he said, where the authority of a town had been, as it were, asleep and inactive, it was no new thing for the whole town to be fined: he instanced the city of London, in the reign of Charles II. when Dr. Lamb was killed by unknown persons; the case of Edinburgh, in Captain Porteus's affair; and Glasgow, where the house of Mr. Campbell was pulled down, and part of the revenue of that town was sequestered for the purpose of indemnity. Boston, he observed, did not stand in so fair a light as either of those places, for it had been upward of seven years in riot and confusion. He then detailed the proceeding with respect to the tea ships, and denounced it as a most violent outrage, by people who could not, in any shape, claim more than the natural privilege of trading with their fellow subjects. The violence of Boston had influenced the rest of the continent; Boston was alone to blame, and should alone be the object of

Lord North's speech.

\* Before this debate began, the standing order for the exclusion of strangers was rigidly enforced. Parliamentary History, vol. xvii, p. 1163.

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punishment. A clause in the bill would prevent the crown from re-establishing the harbour, till full satisfaction was made to the East India Company for the loss of their tea; and this not as a tax, but by requisition. He should be happy that the promoters of the disturbances were discovered, and compelled to make reparation; but as they were unknown in England, Boston would, no doubt, endeavour to discover them, or pass acts of their own assembly to levy the money in the most equitable manner. He always regretted the necessity of punishment, and therefore hoped for that unanimity which would give strength to the measure. He trusted all would agree with him, peers, members, and merchants, and all would animadvert upon such parts of America as denied the authority of this country. We must punish and control, or yield to them.

Opposed by  
Mr. Dowdeswell.

Some slight opposition to the first reading of the bill was made, principally by Mr. Dowdeswell, who inquired for evidence of general concurrence in the inhabitants of Boston; he said, the examples of punishment which had been mentioned were not similar to the present case; the obligation on the counties to compensate for losses between sun and sun was an ancient regulation not enacted for a particular purpose; but this would be an *ex post facto* law. The case of a corporation was also different; they chose their own officers, while the magistrates of Boston were elected by the province at large. Would the House condemn without evidence, in the absence of the parties? The motion was supported by some opposition members, particularly Colonel Barré, who applauded the bill, harsh as it was, for its moderation; and he excited considerable risibility, by saying, "I think Boston ought to be punished, *she* "is your eldest son:" it was carried without a division.

18th and  
21st March.  
25th.  
Petition of  
Americans in  
London.

The bill was twice read, and committed without opposition: but, in the committee, the lord mayor, Mr. Bull, presented a petition from several natives of North America resident in London, who claimed, as an inviolable rule of natural justice, that no man should be

condemned without being called upon to answer, to hear evidence, and make a defence. Under the intended bill, no individual or corporate body in America could enjoy security; for should judgment immediately follow an accusation, supported even by persons notoriously at enmity with them, while the accused were unacquainted with the charge, and, from the nature of their situation, incapable of defending themselves, every fence would be pulled down, justice no longer be their shield, nor innocence an exemption from punishment. The petitioners hardly asserted that justice was executed by law with as much impartiality in America as in any other part of His Majesty's dominions; distinguished between the case of Boston and those of London and Edinburgh, mentioned in Lord North's speech, and attempted to fix the blame of the tumults on the governor, who had omitted to restrain them by means of the executive force. They declared a proceeding of such excessive rigour and injustice would sink deep in the minds of their countrymen, and tend to alienate their affections. The attachment of America, they said, cannot survive the justice of Great Britain; and if the Americans see a new mode of trial established for them, which violates the sacred principles of natural justice, it may be productive of national distrust, and extinguish those filial feelings of respect and affection which have hitherto attached them to the parent state.

After the reading of this petition, Mr. Rose Fuller moved an amendment, mitigating the rigour of the original proposal into a fine. The Bostonians, he said, would refuse to remit money to pay their debts, and numerous confederacies would be created; the bill could not be carried into execution without a military force; if a small number of men were employed, the Boston militia would cut them to pieces; and if a large number, the Americans would seduce them.

Amendment  
moved.

The proposition of a fine was opposed as tending to increase the difficulty; and Lord North said, though he was no enemy to lenient proceedings, he found resolutions of censure and warning unavailing, and

Opposed by  
Lord North.



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coercive measures necessary. "Now is the time," he said, "to persist, to defy them, to proceed with resolution, and without fear. This bill should convince all America of our firmness and vigour; but that conviction would be lost did they perceive in our councils hesitation and doubt." In answer to the suggestion that the Americans would withhold the payment of their debts to British merchants, he said, they used similar threats unless the stamp act were repealed; but, although they obtained that point, they did not pay their debts; and he believed their conduct would be the same on this occasion. If Parliament were to be influenced by such threats, all remedies would become nugatory, and the proposed fine could be as effectually resisted as the operation of the bill. He denied that a military force would be necessary to enforce the act, as four or five frigates would suffice; but, were it necessary, he should not hesitate to compel due submission to the laws. "If their disobedience to this act," he continued, "is to produce rebellion, that consequence belongs to them, not to us; they alone occasion it; we are only responsible for the equity of our measures; firmness, justice, and resolution alone can produce obedience and respect to the laws, and security to trade."

The debate was maintained with considerable ability, and at much length; the principal speakers in favour of Lord North's measure were, Messrs. Herbert, Gascoigne, Montagu, second son of Lord Sandwich, who made his maiden speech, Stanley, Ward, Jenkinson, and General Conway. On the other side were Mr. Byng and Mr. Dempster. The necessity of shewing resentment by punishment being, however, generally admitted, and the difference arising only as to the mode, the committee adopted the original proposal without alteration.

Amendment  
rejected.

25th March.  
Opposition  
on the third  
reading.

On the motion for a third reading, Mr. Fox, for the first time, appeared in opposition, and particularly censured the clause which vested in the Crown the power of restoring the port. It confided to the King that authority with which Parliament was afraid to

trust itself. The quarrel was with Parliament, and Parliament was the proper power to end it. He was answered by Mr. Phipps, who shewed the propriety of continuing to the throne that which had always been its attribute, mercy; nor could the restoration of the port be so well vested in the legislature; for Parliament might happen not to be sitting at the moment when the exercise of lenity became proper.

The debate assumed, for a moment, a new colour from the intemperance of Mr. Van, who, descanting on the flagitiousness of the offence committed by the people of Boston, said their town ought to be *knocked about their ears* and destroyed. "*Delenda est Carthago!*" he exclaimed: "you will never obtain proper obedience to the laws until you have destroyed that nest of locusts."

This excessive vindictiveness called up Colonel Barré, who earnestly deprecated such language: he expressed approbation of the bill, although he feared it was intended to involve the fatal doctrine of taxation. "I have not a doubt," he said, "but a very small part of our strength will at any time overpower the Americans. I think this bill moderate; but I augur that the next proposition will be a black one. You have not a loom, nor an anvil, but what is stamped with America; it is the main prop of your trade."

The clauses objected to were acquiesced in without a division, and the Speaker put the question for passing the bill.

Mr. Fox then revived his objections, in order, he said, to shew on the journals that some member had resisted those clauses.

Mr. Dowdeswell opposed the whole principle of the bill; censured the celerity of passing it, which prevented the tendering of petitions from the manufacturers whose interests it would affect; blamed the selection of Boston for signal vengeance; when many other places had been equally culpable, and considered the measure more likely to injure the merchants of England than the delinquents in America.

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Mr. Burke derided the notion of a local remedy for a general disorder. One town in proscription, the rest in rebellion, can never be a remedial measure for general disturbance. "Have you considered," he said, "whether you have troops and ships sufficient to enforce an universal proscription to the trade of the whole continent of America? If you have not, the attempt is childish, and the operation fruitless." He blamed Governor Hutchinson for not having recourse to the assistance of the military, who, it appeared from the papers on the table, could have quelled the riot, though not without killing many unoffending people; but the fault of the governor ought not to be the means of punishment on the innocent. Universal discontent prevailed throughout America, he said, from an internal bad government. He wished to see a new plan of legislation in that country, not founded on the laws and statutes of Great Britain, but on the vital principles of English liberty.

Mr. Burke was answered by Mr. Grey Cooper, who expressed surprise and sorrow at hearing him upbraid government for not using military force. "It has been said," he continued, "that the Americans cannot be heard in their own defence before this measure takes effect. Look at the papers on the table, where you see the resolutions of their public meetings, ordered to be transmitted for our information." After such a defiance, could they be expected to appear at the bar, and defend themselves by those laws which they expressly refused to obey? He compared the mode of punishment to the black act, where the whole hundred, although not present, is fined for the misconduct of individuals. The bill was framed for the protection of trade; it was a mild measure, and if opposed in America, the result would make the punishment.

Alderman Sawbridge also opposed the bill, and Governor Johnstone predicted that it would occasion a general confederacy to resist the power of Great Britain: it would be no more prejudicial and absurd to prevent the inhabitants of Middlesex from sowing

corn, than to hinder the town of Boston from reaping profit from their trade and merchandize.

Lord North ably vindicated his measure, as founded on justice, and the most eligible under all circumstances; he opposed the suggestion, that a foreign enemy would take advantage of our contest with the colonies, by declaring the time of peace to be the only period for regulation, and the present time the crisis when the dispute ought to be decided.

The bill passed without a division.

In the House of Lords it was actively opposed by the Earl of Shelburne, who presented a petition from the natives of America resident in London, similar to that submitted to the House of Commons. His account of the debate is the only one which can be relied on. "It underwent," he says, "a fuller and fairer discussion in the House of Lords than in the House of Commons. The debate took a general turn; and Lord Camden, in his reply to Lord Mansfield, met the question fully, going as near the extent of his former principles as he well could. The remarkable features of the day were the notorious division among the ministry, which was very nearly avowed, some calling what passed in Boston commotion, others open rebellion; a more than disregard to Lord Dartmouth, and somewhat of the same sort toward Lord North. Lord Mansfield took upon himself a considerable lead; alleging that it was the last overt act of high treason, proceeding from over lenity and want of foresight; that it was, however, the luckiest event that could befall this country; for that all might be recovered, for compensation to the India Company he regarded as no object of the bill: that if this act passed, we should have passed the Rubicon; that the Americans would then know that we should temporize no longer; and if it passed with tolerable unanimity, Boston would submit, and all would pass *sine cæde*. The House allowed me very patiently, though very late at night, to state the tranquil and the loyal state in which I left the colonies, with some other very home facts; and I cannot say that I met with

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Bill passed.

Opposition in  
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“ that weight of prejudice which I apprehended. Lord Temple declared, early in this debate, that he did not intend voting, or giving any opinion on the measure ; but that the backwardness of the ministry to explain their plan appeared an indignity to the house ; that they were mistaken if they thought the measure a trifling one ; that, in his opinion, nothing could justify them hereafter, except the town of Boston proving in an actual state of rebellion ; but he feared the ministry had neither heads nor hearts to conduct either system. During the whole debate the ministers would never declare whether they would, this session, repeal the act or not. In regard to their plan, Lord Dartmouth appeared to stop, after declaring the proposed alteration of the charter ; but Lord Suffolk declared very plainly, that other very determined measures should be offered before the rising of Parliament\*”.

Beside Lord Mansfield, Lords Gower, Lyttelton, Weymouth, and Suffolk, supported the bill, which was opposed by the Dukes of Richmond and Manchester, the Marquis of Rockingham, and Lords Camden, Shelburne, and Stair. It passed the House in five days, and no protest was entered on the journals†.

30th March.  
Bill passed.

Bill for regulating the government of Massachusetts's Bay.  
28th March.

On introducing the Boston port bill, Lord North said it was not the only measure he intended to propose ; other parts of more nice disquisition would still remain for future consideration. Accordingly, while that bill was yet depending in the Lords, he laid before the lower House, in a committee, the plan of a law “ For better regulating the government of Massachusetts's Bay.”

Lord North's speech.

He said, the papers would render indisputable the

\* Chatham Correspondence, vol. iv. p. 339.

† See History of Lord North's Administration, p. 136. Soon after the address was voted on the presentation of the papers, Mr. Bolland, agent for the council of Massachusetts's Bay, presented to the House of Commons a petition, which was received, and ordered to lie on the table. During the progress of the bill he tendered one to the Lords, in the same character ; but they refused to admit it, alleging that the agent of the council alone was not competent to appear for the whole corporation. This refusal was warmly censured, as creating an inconsistency between the proceedings of the two Houses, and between two proceedings of the same House ; and it was said, as similar reasons would apply against all the American agents, Parliament would thus cut off all communication between themselves and the colonists whom their acts most immediately affected.

want of an executive power in that country, and the necessity of strengthening the magistracy; the civil force consisted in the *posse comitatus*, and, considering that *posse* as the very people who had committed all the riots, preservation of the peace could not be expected from them. The constitutional power appeared to be totally defective. If the democracy shewed contempt of the laws, the governor had no authority to appoint a magistrate willing to enforce them, nor to remove one that would not act; that power was vested in the council, whose dependence was on the democratic part of the constitution. If the governor published a proclamation, there was hardly found a magistrate to obey it; nor could he issue any order without the consent of seven of the council; government was in so forlorn a situation, that no governor could enforce obedience; nor, with such a want of civil authority, could it be supposed that the military, however numerous, could be serviceable. To remedy these evils, the minister proposed that the governor should act as a justice of peace, with power to appoint civil officers, such as sheriffs, and provost-marshal, (the chief-justice and judges of the supreme court excepted,) removable only by the King under his sign manual, and upon good representations made in England. The irregular assemblies, or town-meetings, held in Boston, were no longer to be convened without the consent of the governor, unless for the annual election of certain officers, whom it was their province to choose; and the nomination of juries required regulation. The minister professed himself open to the effects of discussion, and inclined to reform his opinions where erroneous; he conceived some immediate and permanent remedy necessary, and submitted the bill as tending to purge the constitution of Massachusetts Bay of all crudities, and give strength and spirit to the civil magistracy and executive power.

After a few unimportant observations, and an explanation from Lord North, informing the House that nothing in the bill was intended to affect the legislative power of either the council or assembly,

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 Lord George  
 Germaine's  
 suggestions.

Lord George Germaine expressed a wish that the minister had made his scheme more extensive. He approved of the abolition of town-meetings, and declared it highly improper for men of a mercantile cast to assemble daily, for the purpose of debating on political matters; they should follow their occupations as merchants, and not consider themselves as ministers of the country. He recommended that the council of Massachuset's Bay should be put in the same state with those of other colonies: the formation of juries he particularly exposed, as replete with absurdities. The grand juries were chosen for life, with a yearly salary; the petty juries were elected annually from each town; thus offenders against government were enabled to insure immunity at the expense of law and justice. The juries, he said, were totally different from those of England, and required great regulation. He wished the council of Massachuset's Bay to be rendered similar to the House of Lords; and advised the adoption of such a system as would obviate the necessity of asserting the rights of Parliament by words, while the colonies denied their authority, and prevented the execution of their laws.

Lord North complimented Lord George Germaine's propositions as worthy of a great mind, and promised to reserve them for the consideration of abilities superior to his own; the charter, he said, ought not to form an obstacle to the regulation of those defects in the colonial constitution which prevented the restoration of tranquillity.

 15th April.  
 Debates on  
 the bill.

Leave being given, the minister, after the Easter recess, produced his bill, considerably altered from the outline: the nomination of the council was vested in the Crown; they were to have no negative voice, nor were the lieutenant-governor and secretary to be members, unless appointed by the King. The general functions of the council remained almost unaltered, except in the nomination of judicial officers. The mode of choosing juries was reformed according to Lord George Germaine's suggestion; but Lord North acknowledged this to be a regulation of peculiar deli-

cacy, which, if the House required it, he would make the subject of a separate law.

Mr. Dowdeswell said the bill was calculated to destroy the charter of the colony. The Americans had laboured with unwearied industry, and flourished nearly four-score years, under that democratic charter; they had increased their possessions, and improved their lands, to an unexpected degree; and England had reaped the benefit of their labour: yet it was intended to abrogate that very charter which had so long subsisted to the mutual benefit of England and America. "The charter," he said, "breathes a spirit of liberty superior to anything either of the former or present times: it was granted in King William's days, and more adapted to the spirit of a free people than any that can possibly be framed by a minister in these." Applying the metaphor so frequently used of a parent and child, he compared the conduct of the mother-country to those perverse and splenetic exertions of authority in parents, by which evil dispositions in their offspring are fomented, and lasting animosities implanted in the bosoms of both.

Governor Pownall described several points of American polity, which appeared to be misunderstood, or misrepresented. He minutely investigated the constitution of Massachusetts Bay, where he had been governor; and affirmed the Americans to be a conscientious, good, religious, peaceable people, not less respectable than any in His Majesty's dominions. The council were elected by the legislature, and not by the people at large; the select men were similar to the aldermen in English corporations. Great inconvenience would arise from the suspension of town-meetings, where all municipal business was transacted till the governor's consent could be obtained; as the towns were, in many places, three hundred miles distant from the capital.

During the progress of this and another act, the opposition increased in strength and resolution. On the second reading, a strenuous debate took place: Sir George Savile considered the measure very doubt-

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ful and dangerous ; doubtful as to the matter and propriety of regulation, and dangerous as to its consequence. Charters were sacred things, and he warmly deprecated the abrogation of them, without hearing the parties, or going through a legal course of evidence.

Mr. Welbore Ellis answered, that chartered rights were by no means so sacred as never to be altered ; the prerogative of granting them vested in the crown for the good of the people ; if the legislature found them repugnant to public utility, they had a right to make them fit and convenient. Parliament would not take away private property without a full recompence ; but in public regulation they were entitled to correct, control, or deprive, as might best suit the general welfare. With respect to evidence, he deemed the papers on the table amply sufficient, as they proved the governor's application to the council for advice, their neglect ; the petition of the inhabitants to the council for protection, their contumacious adjournment for ten days, while the governor was unable to act without their opinion ; and finally their resolution, declaring the total insufficiency of their power. This was evidence competent to ground the bill, which had no further object than to remedy two defects stated by themselves : a form of government incapable of protecting property, ought to be altered.

General Conway said the papers proved nothing, unless the allegations of the parties inculpated were heard. He considered this country as the aggressor and innovator, and not the colonies. We had irritated and forced laws upon them for six or seven years. They had only acted as every subject would, in an arbitrary state, where laws were imposed against their will ; he predicted, from the measure before the House, certain misfortune, and probable ruin to the country and its ministers.

Lord North shewed the absurdity of postponing the assistance to be expected by the subject for a whole twelvemonth, in expectation of hearing, at the bar, men who, having disclaimed all obedience to government,

would most probably not appear. General Conway had blamed former measures as tame and insipid; now he condemned this as harsh and severe. "The Americans," he said, "have tarred and feathered your subjects, plundered your merchants, burnt your ships, denied all obedience to your laws and authority; yet so clement, and so long forbearing has been our conduct, that it is incumbent on us now to take a different course. Whatever may be the consequence, we must risk something; if we do not, all is over."

On the subject of chartered rights, which had been urged by Sir George Savile, Mr. Jenkinson observed, that where the right was a high political regulation, Parliament was not bound to hear the parties; but only where private property was concerned. Long-continued opposition to authority, refusal of protection to His Majesty's subjects, and disobedience of the laws, had rendered it necessary either to forsake the trade with America, or to afford it due protection.

Governor Pownall, declaring that he spoke for the last time on the subject, uttered a most extraordinary prediction. He said, "The measure you are pursuing *will be resisted, not by force, or the effect of arms, but a regular united system.* I told this House four years ago that the people of America would resist the tax then permitted to remain on them—that they would not oppose power to power, but they would become implacable. Have they not been so from that time to this very hour? *I tell you now, that they will resist the measures now pursued in a more vigorous way. The committees of correspondence in the different provinces are in constant communication—they do not trust in the conveyance of the post-office—they have set up a constitutional courier, who will soon grow up in the superseding of your post-office. As soon as intelligence of these affairs reaches them, they will judge it necessary to communicate with each other. It will be found inconvenient and ineffectual so to do by letters—they must confer. They will hold a conference—and to what these committees thus met in congress will grow up, I will not*

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"*say*. Should recourse be had to arms, you will hear of other officers than those appointed by your governor. Then, as in the late civil wars of this country, it will be of little consequence to dispute who were the aggressors,—that will be merely matter of opinion." With much particularity he detailed the acts and proceedings on both sides; but, having stated the facts, declined giving opinions.

Mr. Rigby assumed, from these statements, that America was preparing to arm, and that the deliberations of their town meetings tended chiefly to oppose the measures of this country by force, and strongly maintained the right to tax America, although he would not impose a new tax at this particular crisis. We had a right to tax them, and to tax Ireland.

From this observation Mr. Fox deduced an inference, that the time to tax America would be, when all disturbances were quelled, and the people returned to their duty; taxes, then, were to be the reward of obedience, and the Americans, who had been in open rebellion, were thus to be rewarded for acquiescence. As to taxing Ireland, however he might agree in the principle, he could not admit the policy. He considered America wrong in resisting the legislative authority of this country; but "the bill before you," he said, "is not what you want; it irritates the minds of the people, but does not correct the deficiencies of the government."

Sir Richard Sutton closed the debate, by insisting that, in the most quiet times, the disposition to oppose the laws of this country was strongly ingrafted in the Americans, and all their actions conveyed a spirit and wish for independence. "If you ask an American," he said, "who is his master? he will tell you he has none, nor any governor, but Jesus Christ. The opposition to the legislature of this country is a determined prepossession of the idea of total independence."

2nd May.  
Debate on the  
third reading.

On the motion for a third reading, Mr. Dunning, in a long and critical review of the proceedings from the beginning of the session, compared the people of

Massachuset's Bay to prisoners who had surrendered at discretion, and denied that any proof was adduced, or even alleged on the face of the bill, which could justify the inculcation of treason, or warrant the intended severity. "If there is treason," he said, "there are traitors; let them be discovered, and brought to condign punishment." He entered into a long discussion to prove the charter of Massachuset's Bay not more defective than those of other colonies, and deprecated the measure before the House, as tending to disunite the affections of the American subjects from this country; and, instead of promoting peace, order, and obedience, to produce nothing but clamour, discontent, and rebellion.

The right of Parliament to tax America was ably vindicated by Sir William Meredith; and Mr. Stanley, viewing historically the rise of American government, showed how those erroneous opinions of independence, which now claimed correction, had originated.

Mr. Thomas Townshend, although an opposition member, supported the bill in an honourable and manly speech. He declared he should consider himself the lowest wretch on earth, if he suffered party prejudices to smother private opinion. Though averse to meddle with charters, he thought the inconveniences arising from the town-meetings justified a corrective measure. The juries were properly new modelled, according to the constitution of this country.

Colonel Barré, in a long and somewhat diffusive speech, stated the question to be, whether we would choose to win over the affections of all the colonies by lenient measures, or to make war with them. He censured Mr. Grenville for the stamp act, Mr. Charles Townshend for the subsequent taxes, and the bills which were in progress for enforcing obedience. He termed the military who had quelled the riot in Boston a lawless soldiery, and the seven or eight who had been killed, innocent persons, victims of revenge. All other colonies had displayed the same spirit of resistance, yet resentment was directed against Boston alone; but the minister would soon have all the rest

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upon his back. He had supported the Boston port act because he thought it would produce a compromise for the damage sustained by the East India Company. Without much apparent relevancy, he spoke of the law of evidence in France, the case of Calas, the kindness of ladies in Ticonderoga to young officers, and by that link dragged in an explanation of the circumstances through which he no longer belonged to the military profession. "I think this bill," he proceeded, "is in every shape to be condemned, for the law which shocks equity is reason's murderer. By it you are at war with the colonies; you may march from north to south and meet no enemy; but the people will soon turn out, like the sullen Hollanders, a set of sturdy rebels. The great minister of this country, Lord Chatham, always went cap in hand to all; his measures were lenient and palliative; but now, in the Lords, the phrase was, *We have passed the Rubicon*; in the Commons, *Delenda est Carthago*." He descanted on the flourishing state of French finance; it was in every respect superior to ours; their establishments were less expensive; and argued, that during our contest with the colonies, it was impossible that France, more ready and fit to go to war than we were, should abstain from interfering.

The Marquis of Carmarthen said, that every one in the world knew the practices carried on in America, with a direct intention to renounce their dependence. The opposition which they fomented was a systematic resistance to every part of the law of this country. When coercive measures were adopted by government, they seemed to acquiesce; but when lenient ones were the system of administration, they became turbulent and riotous. It had been said that Lord Chatham always proceeded on cap-in-hand measures; his measures were always understood to be spirited and vigorous, and himself to be the furthest man in the world from deserving the character which had been attributed to him.

Mr. Rigby cleared himself from the imputation of having desired to tax Ireland; General Conway denied

his ever having maintained that Great Britain had no right to tax America; he had said that taxation and legislation had no connexion. As long as the doctrine of taxing America continued, we should never be at rest. It would be better to have peace with America and war with all the world, than war with America; because, if the people of that country were at peace with us, they would contribute to support us in time of war.

Lord George Germaine maintained that America, at that time, was nothing but anarchy and confusion. "Have they any one measure," he said, "but what depends upon the will of a lawless multitude? Where are the courts of justice? Shut up. Where are your judges? One of them taking refuge in this country. Where is your governor? Where your council? All intimidated by a lawless rabble." The trial of the military would be but a protection of innocence.

Mr. Fox never could conceive that the Americans could be taxed without their consent. No law whatever, while their charter continued, would make them think we had a right to tax them. If a system of force was to be established, there was no provision for it, and it did not go far enough; if it was to induce them by fair means, it went too far. It was a bill of pains and penalties, and he wished the House to consider whether it would be more proper to govern by military force or by arrangement.

The Attorney-General declared, while the sovereignty remained in this country, the right of taxing was never to be surrendered. The charter of Massachusetts Bay was a matter of mere legislative power; and no authority was given to control our right of taxation.

Mr. Burke deprecated measures of severity, and foretold a long series of labour and troubles as sure to succeed. He recommended a repeal of the tax on tea as the means of restoring peace and quietness; but, although the Americans could not resist the force of Great Britain, a great black-book, and a great many

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red-coats, could not govern, they would make disturbances never to be quieted.

Lord North, sarcastically deprecating a reference to *natural rights*, denied that the bill destroyed any *civil rights*; no military government was established; but the civil government was altered. The measure was adopted as the best at present; he did not say it would succeed, but hoped for good consequences; if Massachusetts's Bay was to be governed by management, no other measure appeared so feasible; and the return of the Americans to their duty would re-animate the kindness of the mother-country.

After a few remarks from Sir George Savile, the bill passed\*.

Opposition in  
the House of  
Lords.  
11th May.  
Protest.

It was vehemently opposed in the Upper House; but the debates are not preserved†. A protest in seven articles was signed by eleven peers‡, and supposed to contain all the arguments of the minority. Many of its positions are mere recapitulations of statements already advanced in the other house, on the forms of inculcation, the right of defence, and the sacredness of charters. The precipitation in passing the bill was censured; because, if the numerous land and marine forces employed could not maintain order in the province till their charter could be legally tried, no regulation in that bill, or in any other, could be effectual; and the mere celerity of a decision against the charter would not reconcile the minds of the people to that form of government which was to be established on its ruins. The mode of appointing the council, and nominating the judges and sheriffs, was objected to as means of tyranny, injustice, and oppression. The lives and property of the people were subjected to the governor and council, without control: and the in-

\* 230 against 64.

† An argument in favour of suffering debates to be published may be drawn from this instance. The protest on the journals, and an able pamphlet, by Dr. Shipley, bishop of St. Asaph, called "A Speech intended to have been spoken," convey all the reasons which could be urged against the measures of government, and both appear with an air of authority, while the ministry left their proceedings to be defended only by the ordinary means of the press; and their success in the House was converted into an argument of the impolicy of their measures.

‡ The division on the third reading of the bill was 92 to 20.

valuable right of trial by jury turned into a snare for the public, who had hitherto looked upon it as their main security against the licentiousness of power. Finally, the bill was declared to be intended for the support of an unadvised system of taxing the colonies, in a manner new and unsuitable to their situation and constitutional circumstances. The free grants of the American assemblies would be far more beneficial, far more easily obtained, less oppressive, and more likely to be lasting, than any revenue to be acquired by parliamentary taxes, accompanied by a total alienation of the affections of those who were to pay them. The contradictions in conduct which had arisen since the repeal of the stamp act, and the many weak, injudicious, and precipitate steps accompanying that conduct, were alleged to have kept up a jealousy which was subsiding, revived dangerous questions, and gradually estranged the affections of the colonies from the mother-country, without any object of advantage to either. To render the colonies permanently advantageous, they must be satisfied with their condition, and that satisfaction could only be restored by recurring to the wise and salutary principles on which the stamp act was repealed.

While this bill was pending, Lord North introduced another, "For the impartial administration of justice, in cases of persons questioned for any acts done, in execution of the laws, or for the suppression of riots and tumults in the province of Massachusetts Bay." By this law it was declared, if any person were indicted in that province for murder, or any other capital offence, and it should appear to the governor, by information on oath, that the fact was committed in the exercise or aid of magistracy in suppressing tumults and riots, and that a fair trial could not be had in the province, he should send the person so indicted to any other colony, or to Great Britain, for trial. The charges on both sides to be borne out of the customs in England, and the act to continue in force four years.

As the bill for regulating the government, and

15th April.  
Bill for impartial administration of justice.



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Opposition  
and debates  
in the House  
of Commons.

that for the administration of justice in Massachuset's Bay, were before the House at the same time, the arguments of a general nature frequently applied to both, and the opposition was uniformly conducted.

On moving for leave to bring in this bill, Lord North expressed his hope that it would effectually secure the province from future disturbances. He then detailed the principal regulations, and proposed it as the last measure to be taken by Parliament, after which vigilance and firmness in His Majesty's servants would alone be required.

Colonel Barré with reluctance resisted a measure in its infancy, before its features were well formed, but blamed himself for his previous moderation. He supported the Boston port bill, though, in many respects, cruel, unwarrantable, and unjust; it was a bad way of doing right, yet right was its object, and he would not, by opposing it, seem to countenance the violence which had been committed. But this proposition was so glaring; so unprecedented in parliamentary proceedings; so unwarranted by any delay, denial, or perversion of justice in America; so big with misery and oppression to that country, and with danger to this, that he was alarmed and roused to opposition. It was proposed to stigmatize a whole people as persecutors of innocence, and incapable of justice; yet no single fact was or could be produced to ground that imputation. The instance of Captain Preston and the soldiers who shed the blood of the people, was decidedly adverse to the proposition; they were fairly tried and fully acquitted, and it was an American, a New England, a Boston jury that acquitted them; and Captain Preston had declared, under his own hand, that the inhabitants of the very town in which their fellow-citizens had been sacrificed were his advocates and defenders. When a commissioner of the customs, aided by a number of ruffians, assaulted, and almost murdered, the celebrated Mr. Otis, did the mob take vengeance on the perpetrators of this inhuman outrage against their supposed demagogue? No. The law tried them, and gave heavy damages, which Mr.

Otis generously forgave, on an acknowledgment of the offence. Such were the acts of the Americans, of whom the minister, in a tone of declamation unbecoming his place and character, had declared that we must show them that we will no longer sit quiet under their insults. The acts of our government, on the contrary, had been, for many years, a series of irritating and offensive measures, without policy, principle, or moderation. "Have not your troops and your ships," he exclaimed, "made a vain and insulting parade in their streets and in their harbours? You have studiously stimulated discontent into disaffection, and you are now goading that disaffection into rebellion. Can you expect to be well informed, when you listen only to partizans? Can you expect to do justice, when you will not hear the accused?" He then examined, as precedents, the suspension of the Habeas Corpus act in 1745—the subjecting smugglers to trial in Middlesex, and the Scotch rebels in England, and declared them all incompetent to support the present measure. Proceeding to investigate the military character, the colonel declared the bill a prelude to insolence and outrage, and that every passion pernicious to society would be let loose upon a people unaccustomed to licentiousness and intemperance. "I have been bred a soldier," he observed, "have served long, respect the profession, and live in the strictest habits of friendship with many officers: but no country gentleman in the House looks on the army with a more jealous eye, or would more strenuously resist the setting them above the control of civil power. No man is to be trusted in such a situation. It is not the fault of the soldier, but the vice of human nature, which, unbridled by law, becomes insolent and licentious, wantonly violates the peace of society, and tramples upon the rights of human kind." He implored the House not to pursue measures tending to exasperate the Americans. "Alienate your colonies," he said, "and you will subvert the foundation of your riches and strength. Let the banners of rebellion be once spread in America, and you are an

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“ undone people. You are urging this desperate, this  
“ destructive issue : you are urging it with such vio-  
“ lence, and by measures tending so manifestly to that  
“ fatal point, that (but that a state of madness only  
“ could inspire such an intention) it would appear to  
“ be your deliberate purpose. You are becoming the  
“ aggressors, and offering the last of human outrages  
“ to the people of America, by subjecting them, in  
“ effect, to military execution. I know the vast supe-  
“ riority of your disciplined troops over the provincials ;  
“ but beware how you supply the want of discipline by  
“ desperation. They may be flattered into anything,  
“ but they are too much like yourselves to be driven.  
“ Have some indulgence for your own likeness ; re-  
“ spect that sturdy English virtue ; retract your odious  
“ exertions of authority, and remember that the first  
“ step toward making them contribute to your wants  
“ is to reconcile them to your government.”

Mr. Wedderburne explained and defended the principles of the proposed bill, which was only intended, during a limited time, to procure that which every one must desire, a fair trial for imputed crime. He wished, and firmly hoped, that even the idea of our authority, when known to them, would prevent the necessity of exercising it. The olive-branch ought to be carried in one hand, but the sword in the other. When our authority was once established, he would drop the point of the sword, and make use of the olive-branch as far and as much as possible.

Captain Phipps, Mr. Thomas Townshend, and Mr. Dowdeswell approved of the appointment of General Gage, and, with some severe censures, rejoiced in the removal of Governor Hutchinson. Lord North, with his usual generosity, removed the aspersions from that gentleman's character, expressing his surprise that even one member in that house should consider his removal a part of the merit of the measure. There never had been a charge against him. He was shamefully abandoned in the execution of his duty. Before this affair, he had desired and obtained leave to return, and would, before this time, have arrived ; but as the

government of the province, in those distracted times, would, in case of the death of the lieutenant-governor, who was then dangerously ill, have fallen into the hands of the council, he chose rather to stay in that country. He was acting the part of a faithful servant of the crown ; was not recalled on account of any misconduct ; but his remaining in America was a proof of his inclination to fulfil his duty, and entitled him to the thanks of the House.

Without directly opposing the bill, General Conway recommended moderation, and considered the abandonment of the right of taxation as the only olive-branch that could be tendered. Mr. Van, on the contrary, although he believed that, on the required concession, the Americans would return to their duty, declared, that if they opposed the present measure of government, he would, as was done in the times of the ancient Britons, fire all their woods, and leave their country open, to prevent the protection they at present possessed. " If we are likely to lose that country," he said, " I think it better lost by our own soldiers, than wrested from us by our rebellious children."

On its introduction, Alderman Sawbridge, in a 21st April, vehement speech, declared he should think himself highly unworthy a seat in parliament, if he suffered so pernicious a bill to pass in any stage without his hearty negative. He termed the measure ridiculous and cruel, and denied that witnesses against the crown could ever be obtained from America. " I plainly foresee," he said, " the dangerous consequences of this act ; it is meant to enslave the Americans ; and the same minister would, if he had an opportunity, enslave England ; it is his aim, and what he wishes to do ; but I sincerely hope the Americans will not admit of the execution of these destructive bills, but nobly refuse them ; if they do not, they are the most abject slaves that ever the earth produced, and nothing the minister can do is base enough for them."

To this vulgar ribaldry Lord North replied with

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great moderation; he wished to have the measure thoroughly discussed, and, if bad, rejected. He disclaimed every intention of enslaving America, and declared the assertion to be no better founded in truth than another, importing that the Americans had seen their error, and were willing to make reparation to the East India Company. So far were they from such sentiments, that letters recently received brought accounts of renewed acts of violence.

A few other members spoke, and the motion for a second reading was carried.

April 26th.  
Committee.

In the committee, a debate, rather curious than important, arose on a clause respecting the appeal for murder, in which the value of that gothic relic of the constitution was examined with great freedom, and impugned and defended with ingenuity and learning. On the one side, it was treated as an ancient right of the subject; on the other, as a barbarous and superstitious practice, which exposed a man who had been once acquitted to a second trial, and was most commonly resorted to for as the means of extortion; being considered only in the nature of a civil suit, the appeal might be compromised for money.

As the general opinion seemed to be, that, if the appeal, with its barbarous appendage the trial by battle, was to be taken away, the repeal ought to be general, not local, the clause was withdrawn.

6th May.

On the third reading, the debate was not long or interesting, and the bill passed by a great majority\*.

In the House  
of Lords.

In the House of Lords, the opposition was similar to that against the former act. On the third reading, the Marquis of Rockingham detailed, at considerable length, his objections. He viewed the transactions relative to America from the repeal of the stamp act during his own administration; and while he laboured to show the propriety of that measure, stigmatized the tea-duty as an uncommercial, unproductive, peppercorn claim, retained only for the sake of contention. He particularly objected to the bill in question, that,

if officers were men of sensibility and honour, their situation would be worse under the protection of such a law than without it, as no acquittal could be honourable where the prosecutor had not the usual means of securing a fair trial.

The bill passed by a great majority\* ; but a protest, signed by eight peers, and containing very forcible statements, was entered on the journals.

The protesting lords said, that, after the variety of provisions made in the session for new modelling the whole polity and judicature of the province, this bill was an humiliating confession of the weakness and inefficacy of all the proceedings of parliament. By supposing it impracticable to obtain a fair trial for persons acting under government, the House was made virtually to acknowledge the British government universally odious to the province. By supposing the case, that such a trial may be equally impracticable in every other province of America, Parliament, in effect, admits that its authority is, or probably may, become hateful to all the colonies. The bill was described as one of the many experiments toward an introduction of essential innovations into the government of the empire ; and the protest concluded by declaring it a virtual indemnity for murder, and recapitulating the arguments against the difficulty and hardship of sending parties and witnesses so far for justice.

The natives of America resident in London again attempted to interest the legislature by a petition ; but, if the temper of the colony had not been expressed in a manner sufficiently forcible to justify the proceedings of administration, the terms in which this extravagant remonstrance was conceived would have convinced the impartial, that the spirit of opposition and contempt of government by which the colonists were actuated, required vigorous repression, or that

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Protest.  
18th May.

2nd May.  
Second petition of the  
Americans in  
London.

\* 43 to 12. The partial publication of debates precludes the possibility of estimating the arguments of the peers who supported administration. The principal speakers on that side, were the Chancellor, and the Earls of Buckinghamshire, Denbigh, and Sandwich.

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the claim of the mother-country was reduced to a mere verbal pretension.

These petitioners deprecated the two bills, as fatal to the rights, liberties, and peace of America; complained of the Boston Port act, as a violation of the first principles of justice and the law of the land, as it punished without hearing the accused. After decanting on the violation of charters, and the proposed mode of appointing and removing judges, they added that they perceived a system of judicial tyranny deliberately imposed on them, which, from bitter experience of its intolerable injuries, had been abolished in Great Britain. The bill for more impartial administration of justice was decried as an immunity for murder, of which the soldiery, already taught by the incendiary arts of wicked men to regard the people as deserving of every species of violence and abuse, would not hesitate to avail themselves. The insults and injuries of a lawless soldiery, they said, were such as no free people could long endure; and they apprehended, in the consequences of this bill, the horrid outrages of military oppression, followed by the desolation of civil commotions, while the dispensing power given to the governor, advanced as he already was above the law, and not liable to impeachment from the people he might oppress, must constitute him an absolute tyrant. They boasted of the loyalty of the colony, and, throwing all the blame of the late disturbances on the governor, boldly averred, that, among a people hitherto remarkable for loyalty to the crown, and affection for Great Britain, no history could show, nor would human nature admit of, an instance of general discontent, but from a general sense of oppression. They *wished* they could perceive any difference between the most abject slavery and an entire subjection to a legislature, in the constitution of which they had not a single voice, nor the least influence, and in which no one was present on their behalf. They strenuously urged the principle of taxation by consent alone, assimilated themselves to Ireland, and declared the bills would reduce their countrymen to the dreadful alter-

native of being totally enslaved, or compelled into a contest the most shocking and unnatural with a parent-state, which had ever been the object of their veneration and love. They concluded with these words, no less remarkable for hypocrisy than for resolute contumacy: "In a distress of mind which cannot be described, the petitioners conjure the House not to convert that zeal and affection, which have hitherto united every American hand and heart in the interests of England, into passions the most painful and pernicious; most earnestly they beseech the House not to attempt reducing them to a state of slavery, which the English principles of liberty they inherit from their mother-country will render worse than death; and therefore pray that the House will not, by passing these bills, overwhelm them with affliction, and reduce their countrymen to the most abject state of misery and humiliation, or drive them to the last resources of despair."

The notion that the repeal of the duty on tea would tranquilize opposition, and suppress every disagreement between the colonies and the parent-state, induced Mr. Rose Fuller, an old member of parliament, and, in general, a supporter of the minister, to move for a committee, intended to produce that measure; and he introduced his proposition with great moderation.

He was seconded by Mr. Pennant, and an animated debate ensued. The supporters of Mr. Fuller's motion argued chiefly the importance of retaining the friendship of America, the trivial amount of the tea duty, the impropriety of founding a claim to real taxation on mere imaginary or virtual representation, and the hostile appearance which the legislature must assume by rejecting the motion. These topics were principally enforced by Captain Phipps, Stephen Fox, Charles Fox, Frederick Montague, and Colonel Barré.

On the other side, it was contended that the amount of the tea duty was not unimportant; the Americans would not be satisfied with the repeal of the tax, but their views extended to an emancipation from all control; this was proved by referring to the conduct of

19th April.  
Motion for  
the repeal of  
the duty on  
tea.



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Burke's celebrated  
speech.

the legislature of Massachuset's Bay, long distinguished for its rebellious tendency, and the combinations and illegal proceedings of the people. It was also argued that the repeal would be taken as an indication of weakness rather than conciliatory tenderness. It was even remonstrated that a want of unanimity in rejecting this question would be productive of dangerous consequences, by affording countenance to resistance; and firmness and resolution were recommended as the only means of restoring peace. The speakers on this side were Mr. Rice, Mr. Cornwall, Lord Beauchamp, Mr. Buller, the Solicitor-General, and Lord North.

Some reflections, in this debate, on the repeal of the stamp act produced from Mr. Burke one of the most brilliant specimens of senatorial eloquence which the records of any age or country can boast. He contended, that, from the period of repealing the stamp act, the practical right of taxing America ought to have vanished from the minds of statesmen, and decried the absurdity of continuing a tax merely for the sake of a preamble to an act of parliament, when five-sixths of the revenue intended to be raised were abandoned. He read a letter written by Lord Hillsborough when secretary of state for America, upon which he grounded an inference of an absolute promise that taxation would not be again attempted. He said, that from the passing of the Navigation Act till the year 1764, trade, and not taxation, being the object of England, no attempt had been made to raise a revenue in America. The first glimmerings of the new colony-system dawned under Mr. Grenville. Mr. Burke then depicted, in animated terms, and with considerable force and discrimination, the talents, politics, and measures of that minister. Pursuing his history of the stamp act, its repeal, and the subsequent proceedings, he delineated, in a similar manner, the Marquis of Rockingham, Lord Chatham, and his motley administration, and Charles Townshend, under whose auspices the existing American revenue act was passed. By the subsequent repeal of the whole series of taxes, excepting that on tea, the revenue was nearly annihi-

lated, and nothing remained worth a contest, unless it were the preamble of the act, which declared *it was expedient to raise a revenue in America*. He recommended the repeal of the tax as a measure of policy, and advised the House, if they afterwards apprehended ill effects from concession, to stop short, decline reasoning, and oppose the ancient policy and practice of the empire as a rampart against innovators on both sides, and thus they would stand on great, manly, and sure ground. "I am not going," he said, "into the distinctions of rights, nor attempting to mark their boundaries. I do not enter into those metaphysical distinctions; I hate the very sound of them. Leave the Americans as they anciently stood, and these distinctions, born of our unhappy contest, will die along with it. They, and we, and their and our ancestors, have been happy under that system. Let the memory of all actions, in contradiction to that good old mode, on both sides, be extinguished for ever. Be content to bind America by laws of trade; you have always done it. Let this be your reason for binding their trade. Do not burthen them by taxes; you were not used to do so from the beginning. Let this be your reason for not taxing. These are the arguments of states and kingdoms; leave the rest to the schools, for there only they may be discussed with safety." If this advice were rejected, he augured, as a certain consequence, resistance; if the sovereignty of England and the freedom of America could not be reconciled, the Americans would cast off sovereignty, for no man would be argued into slavery.

In reconciling his present opinion with the declaratory act, Mr. Burke appears to have been embarrassed; he attempted a distinction somewhat too subtle to form a basis of action in government. "The parliament of Great Britain," he said, "sits at the head of her extensive empire in two capacities; one as the local legislature of this island, providing for all things at home, immediately, and by no other instrument than the executive power. The other, and I think her nobler capacity, is what I call her imperial cha-

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“racter ; in which, as from the throne of heaven, she  
“superintends all the several inferior legislatures ; and  
“guides and controls them all without annihilating  
“any. As all these provincial legislatures are only  
“co-ordinate to each other, they ought all to be subor-  
“dinate to her. It is necessary to coerce the negligent,  
“to restrain the violent, and to aid the weak and de-  
“ficient, by the over-ruling plenitude of her power.  
“She is never to intrude into the place of the others,  
“whilst they are equal to the common ends of their  
“institution. But, in order to enable parliament to  
“answer all these ends of provident and beneficent  
“superintendence, her powers must be boundless.  
“Gentlemen who think the powers of Parliament  
“limited may please themselves to talk of requisitions.  
“But suppose the requisitions are not observed ?  
“What ! Shall there be no reserved power in the em-  
“pire to supply a deficiency which may weaken, divide,  
“and dissipate the whole ? We are engaged in war ;  
“the secretary of state calls upon the colonies to con-  
“tribute ; some would do it ; I think most would cheer-  
“fully furnish whatever is demanded ; one or two,  
“suppose, hang back, and, easing themselves, let the  
“stress of the draft lie on the others ; surely it is pro-  
“per that some authority might legally say, tax your-  
“selves for the common supply, or parliament will do  
“it for you. This backwardness, as I am told, was  
“actually the case of Pennsylvania for some short time,  
“towards the beginning of last war, owing to some  
“internal dissensions. But, whether the fact were so  
“or otherwise, the case is equally to be provided for  
“by a competent sovereign power. But then this  
“ought to be no ordinary power ; nor ever used in the  
“first instance. This is what I meant, when I have  
“said at various times that I consider the power of  
“taxing in parliament as an instrument of empire,  
“and not as a mean of supply.” He recommended  
lenity, and that policy, not rancour, should be the rule  
of conduct. “Let us act,” he said, “like men ; let us  
“act like statesmen : let us hold some sort of consist-  
“ent conduct. It is agreed that a revenue is not to be

"had in America. If we lose the profit, let us get rid of the odium."

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By this speech, which was afterwards published, the orator acquired great applause, and his party a considerable benefit. The system recommended was specious, and calculated to captivate by a mixture of moderation and resolution; it unfolded many wise principles of policy, while every gratification was afforded to the fancy, by playful and elegant sallies of imagination, expressed in the happiest language, and illustrated by images irresistibly pleasant: but the advice it contained was inadmissible; the time, the unrepented aggression of the Americans, the acknowledged necessity of punishment, and the propriety of restraining the exertions of disloyalty, forbade the adoption of a system which, instead of discouraging, appeared to proffer a premium for opposition to the supremacy of Great Britain.

The motion was rejected\*, and Mr. Rose Fuller, afterwards, in opposing the bill for regulating the government of Massachusetts Bay, said, "I will now take my leave of the whole plan. You will commence your ruin from this day. I am sorry to say, that not only the house has fallen into this error, but the people approve of the measure. The people are misled; but a short time will prove the evil tendency of this bill. If ever there was a nation running headlong to ruin, it is this."

Motion  
rejected.

The ranks of opposition in the House of Lords were reinforced by Lord Chatham, who, after absenting himself from parliamentary attendance during the last two sessions, made his appearance on the third reading of a bill for quartering troops in America, and stated at large his opinions on the proceedings relative to that country.

27th May.  
Lord Chatham's speech  
on American  
affairs.

He began by observing, that a transient view of the motives which induced the ancestors of the Americans to quit their native land and encounter the difficulties of unexplored regions in the western world,

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would remove all impressions of astonishment at the conduct of their descendants. There was no corner of the globe into which men of their free and enterprising spirit would not fly with alacrity, rather than submit to the slavish and tyrannical principles which prevailed at that period in their native country; and shall we wonder if the progeny of such illustrious characters spurn, with contempt, the hand of unconstitutional power, that would snatch from them such dear-bought privileges as they now contend for? Had the colonies been planted by any other kingdom than our own, the inhabitants would have carried with them the chains of slavery and spirit of despotism; but as they are, they ought to be remembered as great instances to instruct the world what exertions mankind will naturally make when left to the free exercise of their own powers. He strongly blamed the conduct of the Americans in some instances, particularly the riots in Boston; but the measures pursued to bring them to a sense of their duty were astonishing, from their diametrical opposition to the fundamental principles of sound policy. In proof of the gratitude of the Americans for the repeal of the Stamp Act, and their sincere loyalty at that period, Lord Chatham read an extract of a letter from Governor Bernard, and inferred that the same temper would have continued, but for the fruitless endeavours subsequently made to tax them without their consent. From the complexion of the proceedings, he thought administration had purposely irritated them into those violent acts, for which they so severely smarted, purposely to be revenged for the victory they gained by the repeal of the Stamp Act; a measure in which the ministry seemingly acquiesced, but, at the bottom, were its real enemies. What could induce them to dress taxation, that father of American sedition, in the robes of an East India director, but to break into the peace and harmony so happily subsisting? He advised the adoption of a more lenient plan in the government of America, as the day was not far distant when America might vie with these kingdoms, not only in arms,

but in arts. The principal towns in America were learned and polite, understood the constitution of the empire, and consequently would have a watchful eye over their liberties to prevent encroachment on their hereditary rights. In support of this opinion he read an extract from the pamphlet of an American author, denying the right of the mother-country to tax the colonies. Affirming this to be his own opinion, which he would carry with him to the grave, he recommended the substitution of kindness for rigour. "Instead of adding to their miseries," he said, "adopt some lenient measures, which may lure them to their duty; act like an affectionate parent toward a beloved child; and, instead of harsh and severe proceedings, pass an amnesty on all their youthful errors; clasp them once more in your arms, and, I will venture to affirm, you will find them children worthy of their sire. But should their turbulence exist after proffered terms of forgiveness, I will be among the foremost to promote such measures as will effectually prevent a future relapse, and make them feel what it is to provoke a fond and forgiving parent! A parent whose welfare has ever been my greatest and most pleasing consolation. This declaration may seem unnecessary; but I will venture to declare, the period is not far distant when she will want the assistance of her most distant friends; but should the all-disposing hand of Providence prevent me from affording her my poor assistance, my prayers shall be ever for her welfare—Length of days be in her right hand, and in her left riches and honour; may her ways be ways of pleasantness, and all her paths be peace!" Lord Suffolk made a few observations on this speech, and was answered by Lord Temple. The bill passed on a division\*.

One more law relative to our dominions in America occasioned strenuous debates. Since the cession of Canada, that extensive sovereignty had been governed by royal proclamations; no parliamentary system was established; the customs of the land were not sanc-

Bill for the  
government  
of Canada.

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tioned by explicit consent, or meliorated by a more perfect form of jurisprudence. Yet the subject had not lain dormant; it was often deliberated in the cabinet; but the difficulty and danger of deciding on abstract principles of legislation, and the instability of administrations, had hitherto prevented effectual progress. At length, in 1771, the King, by a special order, directed the reports and papers relative to the laws and courts of judicature, and the defects in the mode of governing Quebec, to be referred to the advocate, attorney, and solicitor-general, to prepare a general plan of civil and criminal law; and they were subsequently directed to make separate reports to the King in council. Every species of information was resorted to, and diligently compared, and applied in the formation of these reports, on the basis of which a bill was framed, "For making more effectual provision " for the government of Canada."

View of the  
bill.

The first object of the bill was to define the boundaries of Canada, which were enlarged to an unexpected extent, including all the lands in America not subject to any previous grant, or comprised in any charter. The limits, thus extended, stretched from Chaleur Bay, along the southern coast of the St. Lawrence, almost to Crown Point; they were also carried over the whole interior country, which lay behind the New England provinces, together with those of New York and Pennsylvania, to the borders of Ohio. The boundary line then proceeded westward, through ten degrees of longitude, to the eastern banks of the Mississippi, whence it extended northward, to the southern boundary of the land granted to the Hudson's Bay company, being from about the fortieth to the fiftieth degree of latitude.

The government of this domain, which appeared from evidence to be inhabited by about three hundred and sixty English, and a hundred and fifty thousand French settlers, was modelled with strict attention to the habits, prejudices, manners, and convenience of the people. Abstract theory, as well as national predilection, would have pointed out the English constitu-

tion, both in church and state, as the best model for the government of Canada: but no wise statesman, no conqueror, unless a mere predatory tyrant, would attempt the rash experiment of forcing on a whole people a scheme of government, formed at a distance from their abode, and arranged without a pretence of consulting their wants, their grievances, their means of information, or their views of happiness. The system of mutual representation, mutual reliance, and mutual responsibility, which forms the basis of the British constitution, and is admirably adapted to the genius, the manners, and the commercial and political relations of the nation, would, if applied to a people living widely scattered in a thinly inhabited country, and so educated as to entertain an habitual predilection for another mode of government, have been a curse instead of a benefit, a badge of slavery instead of a buckler of defence. Yet there were points of essential importance in the British constitution, which a due regard to the real happiness of the governed would not justify the governors in omitting.

The Canada or Quebec bill, therefore, granted the free exercise of the religion of the church of Rome, subject to the King's supremacy; and the clergy were permitted to employ their property, and receive the accustomed dues from persons professing that persuasion; with a proviso, that the King should not be disabled from making such provision as he should think fit for the protestant clergy.

All property was to be held, and all controversies relative to it among Canadians were to be decided, by the existing laws of Canada, and without the intervention of a jury; a proviso was made for freeing estates from feudal entails, and excepting from the rule all lands granted by the King.

The criminal law of England was instituted, with trial by jury.

A legislative body was created, consisting of persons resident in Canada, in number not less than seventeen, nor more than twenty-three, who were to be appointed by His Majesty in council. They were



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to make ordinances for the government of the province, but not to impose taxes; and their edicts were to be considered as absolutely repealed, if disapproved by the King in council. The legislature was also restrained from enacting severe penalties for religious offences, and from meeting at undue seasons of the year, and without sufficient notices.

Finally, the King was empowered to erect any courts, criminal, civil, or ecclesiastical, by letters patent under the great seal.

May 2.  
Bill brought  
into the  
House of  
Lords.

12th.

16th.

17th.

Lord Dartmouth presented this bill to the House of Lords. No report is preserved of any debate upon it, nor does it appear from the journals that any amendment was moved upon which a discussion was likely. Papers were presented, shewing different ordinances made by virtue of the King's proclamation, under which the province was governed; but they were of no general importance. In the committee a few alterations were made; but not, as it appears, in consequence of any suggestion from the usual opponents of government. The only attempt at a material alteration was on the third reading, when a motion was made for a proviso, limiting the duration of the law to a period of seven years, which, after a debate, was rejected; and, after some further discussion, the bill passed, and was sent down to the House of Commons. No petition was presented, and no protest appears on the journals\*.

Probably, this apparent quietude arose from the opposition party not having, at first, contemplated or arranged measures of resistance; for in the lower House a struggle was strenuously maintained through every stage, from the first introduction of the bill.

26th May  
to 13th June.  
Opposition.

The chief general objections were derived from its tendency to establish a despotic government, contrary to the royal proclamation in 1763, and the indecency of urging a business of so much importance at a late period of the session, when many members had retired into the country.

The clause which fixed the limits of the province

\* Lords' Journals, vol. xxxiv, at the dates in the margin.

was censured on two grounds; first, if, in any future war, Canada should be restored to the French, they would, by the avowal of the British Parliament, derive a claim to a territory more ample than they had ceded at the last peace. We were giving up to Canada almost all that which was the subject of dispute, and for which we went to war, calling it the province of Virginia; but now we were telling the French that the assertion was merely a pretence for hostilities, for we then knew, as well as now, that it was part of Canada. Secondly, if we were to retain the province, the enormous addition operated as a grievance on the inhabitants of the planted and chartered colonies. If, in order to live on what they had ever esteemed their direct property, they crossed an imaginary line, they found themselves suddenly deprived of all their own charters, and all the common privileges of Englishmen, and subjected to an arbitrary system of French government: this was decried as a violent, cruel, and odious measure, which tore up justice and all its principles by the root.

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To the argument on the restoration of the colony, Answer.  
Mr. Thurlow answered, that the limits of cession were never dependent on legislative arrangements, but on the length of the sword: success in war would give success in peace, and not imaginary lines drawn by a state for its colonies; nor had the limits now described any reference to old Canada; it was not a restoration of the limits once claimed by France, but a new scheme, including countries for which France had never contended.

With respect to the injury to be sustained by the inhabitants of chartered colonies, it was observed, that they must voluntarily place themselves in a situation to receive it; and it would be extremely imprudent, in favour of such a supposition, to leave without government all the chain of posts already established by the French through the whole country included in the bill, and not protected by any law, or defended by any charter.

Mr. Fox started an unexpected and ingenious ob-

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jection to the reception of the bill. It provided that the clergy of the church of Rome might hold, receive, and enjoy their accustomed dues and rights, with respect to such persons as should profess that religion. As those words included the receiving of tythes, which were, to all intents and purposes, a tax on the people of Canada, it was, he said, contrary to the rules of Parliament, that a money-bill, for such must this be considered, should have its origin elsewhere than in the House of Commons. This point was ably and strenuously argued by Mr. Dunning, Mr. Serjeant Glynn, and some other members; but the difficulty was easily solved by the fact that the rights of Roman Catholic clergy were guaranteed by the definite treaty, and by the irresistible observation that tythe was not a tax; it was a new measuring out of land, due at that moment, the subject of an action at law, the object of exchange or compensation, as was daily evinced in bills for inclosure or other improvements: it had never before been called a tax, and many bills for purposes in which tythe was comprehended had originated with the lords. The decision of the house was adverse to Mr. Fox's opinion; but he continued to maintain it, and repeated it when the third reading of the bill was ordered which fixed the boundaries.

May 31.  
Petition of  
the Penn  
family.

Against this part of the bill a petition was presented on behalf of the Penn family, and, as it was alleged that they would, by its operation, be deprived of a portion of their legal estates in Pennsylvania, and the three lower counties of Newcastle, Kent, and Sussex, in the Delaware, the minister admitted its validity, and said, it never was the intention of the measure to affect the just rights of the proprietors or of the colonies.

Opposition  
on the sub-  
ject of reli-  
gion.

The clause allowing the exercise of the Romish religion was opposed, not so much by direct motions leading to divisions, although some of these occurred, as by angry and intemperate observations. Mr. William Burke described the bill as the worst that ever engaged the attention of a British council; to establish the popish religion, was to establish despotism.

In some instances we had, as far as we were able, established freedom; but to establish Popery, to establish despotism in a conquered province, was what we had never done before. To aid the cause of prejudice, when argument was wanting, Colonel Barré said, the bill was Popish from the beginning to the end. The lords, with whom it originated, were the Romish priests, who were to give his Majesty absolution for breaking the promise made in the proclamation of 1763. On the motion that it should pass, Mr. Howard denounced it as a most abominable and detestable measure, tending to introduce tyranny and arbitrary power in all the colonies; to give a further establishment to Popery; to annul the bill of toleration, and to destroy the act of Habeas Corpus. It was a money-bill, and no treatment too contemptuous could be applied to it. The Speaker ought to throw it over the table, and somebody else should kick it out at the door. On the part of government, it was denied that the Romish religion was established; it was tolerated. Some distinction between toleration and establishment, but nothing of importance, was urged, nor any amendment attempted, except in the form of one of the prescribed oaths. An effort was made to excite popular prejudice, and the corporation of London, in a petition against the bill, did not forget to remind the King, that the Romish religion was idolatrous and bloody, and that his illustrious family was called to the throne, in consequence of the exclusion of the Roman Catholic ancient branch of the Stuart line, under an express stipulation to profess and maintain the Protestant faith.

Petition from  
the city.

The continuance of the French law, dispensing justice without a jury in civil, while the English code was granted in criminal cases, occasioned numerous and violent debates. The opposition insisted, that by this distinction, a complete despotism was established: the King, by mixing his English with French subjects, and involving both in the same law, obtained over both all the powers of a French king: he might even, if he pleased, imprison by *Lettres de Cachet*.

Opposition on  
the subject of  
law.

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Petition of  
the Canada  
merchants  
in London.

Evidence.

The privation of the trial by jury, in civil cases, and of the Habeas Corpus, was represented as an intolerable hardship.

The merchants of London trading to Canada petitioned against this part of the bill, as tending to render their property less secure, and were heard by counsel. Two merchants\* were produced as witnesses, who stated, that the people of Canada were highly pleased with the trial in civil causes; and that a discontinuance of it would be of great prejudice. On the other hand, five witnesses were examined, some of whom had been long resident, and filled important stations in the colony†; from their information it generally resulted, that the Canadians, though highly pleased with the British form of criminal jurisprudence, had an insurmountable disgust to the decision of civil causes by a jury.

The enormous expense of that mode of trial in a country thinly inhabited; the difficulty of obtaining the attendance of jurors, and the amount of their travelling charges and maintenance, were successfully urged as reasons against the establishment. An attempt was made during the progress of the bill to obtain a right for either party in a suit to demand a trial by jury, but without effect. The general arguments relative to tyranny, and the want of the Habeas Corpus, could not, it was observed, be decided on mere suppositions; time would discover, and the legislature of the colony would announce, whether the King did in fact imprison his subjects by *Lettres de Cachet*, and whether they felt any real grievance from the non-introduction of a new writ, incompatible with the forms of that law by which they preferred to be governed.

\* Edward Watts and Samuel Morin.

† They were General Carleton, governor of Canada: Mr. Maseres, cursitor-baron of the exchequer, late attorney-general of the province, and agent to the English inhabitants; Mr. Hey, chief-justice of the province; Mr. Lothbiniere, a French gentleman of considerable property; and Dr. Marriott, the king's advocate-general. Some ill temper was displayed in examining these gentlemen, particularly General Carleton and Dr. Marriott; but they both, Dr. Marriott especially, evinced a dignified calmness and self-possession which frustrated all attempts to expose their evidence to censure, or to extract from them any improper disclosures.

It was also successfully urged, that if tyranny were the aim of the bill, the means taken to establish it were singular and unapt; a government by law was substituted for one purely optional, and the King's power of ruling by proclamation was abolished by act of parliament.

Many objections were made against vesting the legislative power in the governor and council alone, without an assembly, as in other colonies. But the extreme absurdity of a pretended election, the rights of which should reside in three hundred and sixty persons, while the number governed was upwards of a hundred and fifty thousand, was an irrefragable argument against the proposition for establishing a representative senate. It was also proved in evidence, that the Canadians were not desirous of being represented in any assembly; and, from the aspect of the times, policy dictated that they should, as little as possible, be placed in the same situation with the other provinces of America.

Some members attempted to fix a limit to the duration of the act; but it was answered, that, being one of experiment, it could not in its nature be supposed to be permanent; when time had enabled the Canadians to appreciate its merits and defects, Parliament, in answer to petitions, or from well-authenticated information, could alter, amend, or repeal such portions as expediency might require.

As several alterations were made in the bill, it became necessary to return it to the upper house. Although in a less exceptionable form it had passed almost without opposition, yet its principles were now strenuously resisted. Lord Chatham recapitulated all the objections used in the House of Commons, and called it the child of inordinate power. It would involve this country in a thousand difficulties, shake the affection of all his majesty's subjects in England and Ireland, and finally lose him the hearts of all the Americans. He invoked the bench of bishops to resist a law by which the Roman Catholic religion would become the establishment of a vast continent, and in-

Debates in  
the lords.  
17th June.

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June 22nd.  
Petition to  
the King.

sisted that Parliament had no more right to alter the oath of supremacy, than to repeal the Great Charter, or the Bill of Rights. Lord Dartmouth and Lord Lyttelton defended the bill, but with no new argument\*. The corporation of London having resolved to petition the King to refuse his sanction, the Lord Mayor, with several aldermen, the Recorder, and a great many members of the common council, attending at St. James's just as the King was going to the house, was informed, that as the petition related to a bill agreed on by the two houses of Parliament, of which his Majesty could not take notice until it was presented for his assent, they were not to expect an answer†.

Other acts of  
Parliament.May 18.  
Debates on  
the Budget.

During this long and active session, many other objects of public importance were agitated in parliament. The House of Lords, by reversing a decree of the Court of Chancery, established the principle that booksellers have not a perpetual right in the copies of works which they possess by assignment from their authors. In producing the financial statement, commonly denominated the Budget, Lord North forcibly exposed the fallacious statements which had been made of the flourishing state of the French revenue; ridiculed most happily the specious orators who, fortified by a little information, picked up at random, in a country, where, for want of a representative body, few, very few indeed, possessed any real knowledge on the subject, pretended to advance facts and draw comparisons, the one unfounded, the other incorrect. Colonel Barré, considering, and he could not be mistaken, that these remarks were levelled at him, made an answer full of strenuous reflections. Mr. Burke supported some of his assertions, but totally disclaimed those which depicted the flourishing state of the French treasury. Mr. Dempster and governor Johnstone also attacked the minister; he neither replied nor was supported, but his resolutions were agreed to.

\* It was carried, 26 to 74.

† In revising this portion of my work, I have derived much assistance from Sir Henry Cavendish's Reports of the debates on this bill in the House of Commons, forming a specimen of a publication, intended to be produced by Mr. Wright, of all the debates in that parliament, from 1768 to 1774.

Several beneficial regulations were made in the gold coin, pursuant to the suggestion in the King's speech. A committee was appointed to consider and report on the state of the linen and woollen trades, and an act passed for the relief of insolvent debtors, and prisoners incapable of paying their fees.

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Gold coin.

In terminating the session, the King applauded the Quebec act, as founded on the clearest principles of humanity and justice, and calculated to produce the best effects in quieting the minds and promoting the happiness of the Canadians. He lamented the dangerous spirit of resistance displayed by the people of Massachusetts's Bay, but approved the measures adopted by Parliament to restrain them. He said, "The temper and firmness with which you have conducted yourselves in this important business, and the general concurrence with which the resolution of maintaining the authority of the laws in every part of my dominions has been adopted and supported, cannot fail of giving the greatest weight to the measures which have been the result of your deliberations. Nothing that depends on me shall be wanting to render them effectual. It is my most anxious desire to see my deluded subjects in that part of the world returning to a sense of their duty, acquiescing in that just subordination to the authority, and maintaining that due regard to the commercial interests of this country, which must ever be inseparably connected with their own real prosperity and advantage."

22nd.  
King's speech  
on concluding  
the session.



## CHAPTER THE TWENTY-THIRD.

1773—1774.

Disposition of the people in Massachuset's Bay—Arrival and effect of the Boston port act.—The cause of Boston espoused in several colonies.—The assembly of Massachuset's Bay removed to Salem.—Their address to the governor.—Members appointed to a general congress.—Recommendations to the people.—Dissolution of the assembly.—Town-meeting at Boston.—Address of the merchants and freeholders of Salem to the governor.—Solemn league and covenant.—Efforts at conciliation.—Drafts of the other bills arrive.—their effect. Arrival of troops.—Alarm on placing a guard at Boston Neck.—New council formed.—Juries and law officers refuse to act.—Militia disarmed and stores seized.—Public resentment,—Boston Neck fortified.—Outrages of the people.—They arm.—Suffolk Meeting—their resolves and remonstrance.—Gage's answer.—The Assembly meet in defiance of the Governor—resolve themselves into a provincial congress—their remonstrance.—Gage's answer and proclamation.—Sitting of the general congress at Philadelphia.—Formation.—Mode of voting.—Secrecy in debate.—Detached proceedings.—Declaration of rights.—Association—Address to the people of Great Britain.—To the colonies.—To the people of Quebec.—Petition to the King.—Instructions to their agents.—Dissolution.—Observations on their proceedings.—Effects of the congress.—Royal proclamation.—Insurrection at Rhode Island, and in New Hampshire.

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1774.  
Disposition of  
the people of  
Massachu-  
set's Bay.

If it was expected that mere legislative ordinances could subdue or even restrain the people of Massachuset's Bay, in any case where their apprehensions were alarmed, or their passions excited, their character and temper must have been grossly misunderstood. Their

disregard of laws where obedience could not be enforced, had been recently displayed, in other instances beside those which immediately called for the late enactments of the legislature. During the agitation respecting the Stamp-act, every supposed friend to that measure was subjected to all kinds of violence. The dwellings of Mr. Oliver, Governor Hutchinson, and Governor Barnard, were broken into, their plate and valuable property purloined, their papers and manuscripts burnt, their houses destroyed, and their lives put into imminent danger. At that period, the people of Boston had begun to shew a disposition to excite strong political feelings and a contempt of the superior orders, by calling meetings under the tree of Liberty, and styling themselves the respectable populace\*. Before intelligence of the parliamentary proceedings could be received, the people of this province manifested a disposition to exasperate the mother-country by repeated outrages. Tea ships which arrived after the destruction of the first cargoes, were treated in a similar manner; a post-office was projected to rival the government establishment; and the assembly, before their dissolution, found a new subject of contest with the governor, by resolving to continue Dr. Franklin their agent, although Hutchinson refused to ratify the appointment, or sanction the law for paying his salary. The governor was succeeded by General Gage, who was married to an American lady, had long commanded the troops in the province, and was respected for his prudence and urbanity. The auspices under which he commenced his office were most discouraging, for some inhabitants of Boston, attempting the customary civility of a complimentary message to the ex-governor, their proceeding was protested against by many of the citizens, and the populace expressed their hatred and contempt by hanging him in effigy. General Gage, however, received the usual honours from the council, magistrates, clergy, military and town officers.

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Contumacious  
proceedings in  
Massachusetts's  
Bay.

General Gage  
appointed go-  
vernor.

13th May.

\* State Papers, 1765 and 1766.

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Arrival and  
effect of the  
Boston port  
act.14th May.  
Town meet-  
ing.

The Boston port act was already arrived, and received with a mixed sensation of indignation and terror. The severity of its enactments\* appalled the factious, and the uncertainty whether the other colonies would join in the cause, or take advantage of their situation, produced anxiety and consternation. The resolves of a meeting, held to take the act into consideration, no longer breathed the haughty and impetuous tone of former days, but indicated fear, hesitation, and irresolution. They declared, if the other colonies would decline all commercial intercourse with Great Britain and the West Indies till the repeal of the obnoxious act, their resolution would prove the salvation of North America, and her liberties; but otherwise, fraud, power, and the most odious oppression, would rise triumphant over right, justice, social happiness, and freedom. The impolicy, injustice, inhumanity, and cruelty of the law, exceeded all their powers of expression, and they left it to the just censure of God and the world. Copies of this vote were transmitted to all the colonies; the act of parliament was printed on paper bordered with black, hawked about the streets as a barbarous, cruel, bloody, and inhuman murder, and in some places burnt with great solemnity.

Measures equally bold and judicious had previously been taken by the people of Boston to unite others in their cause. On the destruction of the tea ships, expresses were dispatched to New York, Philadelphia, and other provinces, relating what had taken place, and assigning for it plausible and seductive reasons. If the British Government, they said, intended that a duty should be paid on the commodity, they were

\* By this act it was ordained, that from the 1st of June, 1774, no person should receive or discharge any cargo or lading at the harbour of Boston, on pain of forfeiting the goods and the vessel; and any wharfinger who permitted such lading or discharge at his wharf, was to forfeit treble the value of the cargo, computed at the highest price, together with the craft employed. No vessel was allowed to moor within the harbour, or to be seen hovering about the bay, after six hours' notice, on pain of forfeiture. Several penalties were inflicted to prevent collusions, and the act was to continue in force till satisfaction made to the East India Company, and till it should appear to the King in council that the people of Boston were submissive to law and good order.

doing that against which the voice of the whole continent had been pronounced, raising a revenue from the people without their assent; if not, a monopoly would be created, equally adverse to the principles of liberty and of commerce. The mercantile body adopted these opinions with zeal and earnestness, in both the great provinces to which they were most particularly addressed. In Philadelphia a general ferment was created, and in New York inflammatory papers were distributed, tending to excite opposition to the sending of teas; but still a more subdued spirit had considerable prevalence. Even in Massachusetts itself, a number of respectable persons expressed a desire that the people of Boston should be made to compensate for the violence they had committed. Forty inhabitants of the town of Plymouth published a protest, expressing abhorrence of rebellious proceedings and attachment to the British government; but the mercantile and revolutionary parties were most numerous, active, and likely to prevail.\*

But if apprehensions of the conduct of other colonies existed, the horrors of suspense did not long continue. Virginia, where ardent principles had before been so strongly displayed, was forward to make common cause with Boston, and even to urge bolder measures of opposition and resistance than the complaining party had contemplated. In the house of Burgesses the chief influence had been enjoyed by Mr. Henry, Mr. Henry Lee, Mr. Francis Lee, Mr. Carr, and Mr. Jefferson, who in the preceding year, when Lord Dunmore dissolved them, met with a few more at a tavern, and, as one of their body asserts, originated the plan of corresponding committees†. The act arriving during a session, a small number of members, agreeing that they must boldly take an unequivocal stand in the line with Massachusetts, met in the council chamber, for the sake of the library which it contained. Finding it necessary to arouse the people from the lethargy into which

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24th May.  
The cause of  
Boston  
espoused by  
Virginia.

\* State Papers, Letter of General Haldimand, 5th Jan. 1774.

† Jefferson's Memoirs, vol. i. p. 4. The invention has been claimed by Massachusetts; but Mr. Jefferson's denial is positive and circumstantial.

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they had fallen as to passing events, they devised the appointment of a day of general fasting and prayer, to call up and alarm their attention; such a solemnity had last existed in the days of their distresses in the last war, since which a new generation had grown up. They consulted Rushworth for the revolutionary precedents and forms of the Puritans of that day, and by his aid framed a resolution, somewhat modernizing the phrases, for appointing the first of June, on which the act was to commence, for a day of fasting, humiliation, and prayer, "to implore Heaven to avert from them the evils of civil war, to inspire them with firmness in support of their rights, and to turn the hearts of the King and Parliament to moderation and justice\*."

Assembly  
dissolved.

Such an encroachment on the governor's prerogative as the appointment of a fast without his concurrence, combined with the motives of the proceeding, induced him to dissolve the assembly; but eighty-nine of the members signed an association, denouncing the attempt to compel one of the sister colonies to submit to arbitrary taxes, as an attack upon all British America; and recommending their committee of correspondence to communicate with other committees on the expediency of appointing deputies from the several colonies to form annually a general congress, and deliberate on measures conducive to the united interests of America. This paper avowed that other measures were in contemplation, and expressed a hope that Great Britain would not, by persisting in the system of arbitrary taxation, compel them reluctantly to relinquish all commercial intercourse.

Annual  
congress re-  
commended.

20th May.  
Proceedings  
in Philadel-  
phia.

24th May.

And other  
colonies.

The people of Philadelphia, excepting the quakers, agreed to suspend all business on the first of June, as an expression of sympathy, and in order to gain an opportunity of reflecting on the precarious situation of American rights. They also held a town-meeting, passed resolutions in reprobation of the act, and in favour of a congress, and entered into a subscription for relief of the suffering inhabitants of Boston; several

\* Idem, p. 5, whose own words have been preserved. And for a general account of proceedings in Virginia, Sparks' *Life of Washington*, vol. i. p. 122.

other colonies subsequently adopted similar resolutions, and their cause was espoused with an ardour equal to their most sanguine wishes\*.

Meanwhile the assembly of Massachusetts's Bay met for the last time at Boston, and proceeded to the election of a council on the day prescribed by their charter. General Gage opened the session, by expressing his inclination to concur in all measures tending to the welfare of the province, but announced the necessity of removing the general court to Salem. They petitioned him to set apart a day for general fasting and humiliation, with which he refused to comply, considering it only meant to afford an opportunity for diffusing sedition from the pulpit; and, apprehending the ill effects of protracted debates, he adjourned the legislature to the seventh of June, then to meet at Salem.

In this interval, the people had the satisfaction of learning that their sufferings occasioned general indignation, and the fast on the first of June was almost every where strictly observed. Measures were generally adopted for contravening the interests of Great Britain; the wish for a congress was widely diffused, and the province of Maryland even instructed the lawyers not to commence suits for recovery of debts due to inhabitants of Great Britain, till the Boston port act should be repealed.†

Animated by these assurances, the legislature took the earliest opportunity of insulting the governor, under pretext of answering his speech at the commencement of the session. Their address began with ordinary felicitations, but, in its progress, expressed a hope, that his administration, in principles and conduct, might be a happy contrast to that of his two immediate predecessors. General Gage, interrupting the chairman of the committee, who read the message, refused to receive such indecent reflections on governors whose conduct had been approved by the King, after a trial and acquittal before the privy-council; they were

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26th May.  
Proceedings  
of the as-  
sembly of  
Massachu-  
set's Bay.

Effect of the  
conduct of  
other colo-  
nies.

9th June.  
Address to  
the governor.

\* An account of the proceedings in New York, with some sensible observations on them, is in the *Life of Gouverneur Morris*, by Jared Sparks, vol. i. p. 22.

† A protest against this resolution was signed by a respectable body of merchants.

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13th June.  
Members  
appointed to  
congress.

an insult on his Majesty, the lords of the council, and himself.

The house of representatives next appointed a committee for a general congress, selecting for that purpose five of their body who were most conspicuous in opposition; and voting five hundred pounds for their use, out of the treasury. In this appropriation of the public money, they exceeded their authority, and, the governor refusing his assent to the vote, they recommended a levy to that amount, by equitable apportionments, among the towns and districts of the province.

Committee  
appointed to  
frame recom-  
mendations.  
17th June.

A prorogation or dissolution of the assembly being anticipated, a committee was appointed to prescribe rules of conduct to the people, under the form of recommendations, which, in the actual state of opposition, would have the effect of laws. They speedily presented a report, stating that their colony, as well as others in North America, had long been struggling under the heavy hand of power; their dutiful petitions for redress of intolerable grievances were disregarded, and the design totally to destroy the free constitution of America, to establish arbitrary government, and reduce the inhabitants to slavery, appeared to be more and more fixed and determined on: the inhabitants were therefore recommended, until redress should be obtained, to discontinue the consumption of tea, as well as of all other merchandizes imported from India and Great Britain; and encourage to the utmost the manufactures of America.

Dissolution of  
the assembly.

Although the committee intended to keep their proceedings profoundly secret, and deluded the governor by a pretence of being employed on conciliatory measures, they could not prevent the disclosure of their real intention, and General Gage dispatched the secretary to the court-house to dissolve the assembly. The officer, finding the doors locked, transmitted the information to the speaker, that he was charged with a message to the house; the assembly, however, refused to open the doors; and the secretary, in presence of several members, proclaimed on the stairs the dissolu-

tion of the general court. They, however, considered the passing of their resolutions as a material advantage gained over the governor.

Notwithstanding the dissolution of the legislative body, a town meeting was held at Boston, where resolutions were passed, and ordered to be transmitted, by the corresponding committees, to other colonies, containing assurances of the zeal and activity prevailing in Massachusetts Bay, and the general anxiety to meet in congress; a measure which, they affirmed, would compel Great Britain to acquiesce in the terms they should propose.

At Salem, the merchants and freeholders presented an address to the governor, personally complimentary, but highly censuring the measures he was deputed to support. They commiserated the people of Boston, and declined availing themselves of the advantages tendered by the act, by removing trade from the capital to their town. They said, "Nature, in the formation of their harbour, forbid a rivalry with the convenient mart of Boston, and, were it otherwise, they must be dead to every idea of justice, lost to all feelings of humanity, could they indulge one thought to acquire wealth, and raise their fortunes on the ruin of their suffering neighbours." They spoke in high terms of the hardships encountered by their ancestors, who, "to avoid oppression, braved every danger, and began a settlement on bare creation; in a dreary wilderness filled with savage beasts, and yet more savage men:" and complained of the hardships endured by themselves, the progeny of such ancestors, in being "checked and dishonoured for exhibiting proofs of that spirit which in their fathers produced such astonishing effects." They ardently wished for a happy union with the British empire, and would gladly adopt every measure compatible with the dignity and safety of British subjects. The governor, in his answer, assured them of his sympathy with the people of Boston, and of the good-will of Great Britain toward her colonies; but the mother-country, retaining her ancient spirit, found it necessary to support her rights, as head of the empire,

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Town meeting at Boston.

18th June.  
Address of  
the mer-  
chants of Sa-  
lem to the  
governor.

His answer.



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Solemn  
league and  
covenant.

not by checking the free spirit which the colonists derived from their ancestors, but by inculcating that due obedience to the King and Parliament which their fathers had acknowledged.

By the activity of the corresponding committees, a general association was framed throughout the continent, which, in the puritanical phraseology of the preceding age, was called *A Solemn League and Covenant*. In this compact, the parties, "from a consciousness that no other means existed of avoiding the horrors of slavery, or the carnage and desolation of civil war; in the presence of God, solemnly, and in good faith," covenanted to suspend all commercial intercourse with Great Britain, till the Boston port act should be repealed, and restoration made of their chartered rights: not to purchase or consume any goods or merchandize from Great Britain, after the last day of August; to have no dealings with persons who should break this agreement; but to publish their names as enemies to their country, and cut off from all social intercourse. This solemn league and covenant was received with the utmost alacrity by the people of Massachusetts's Bay. In vain did General Gage issue a proclamation, forbidding such unlawful and traitorous combinations, and commanding all magistrates and other officers to apprehend persons publishing or tendering them for signature: his orders were disregarded, and the compact generally received.

20th June.  
Gage's pro-  
clamation.Efforts at  
conciliation.

Amidst the exertions of opposition, some efforts were made which had a tendency to reconciliation. An address was presented to the governor, signed by a hundred and twenty gentlemen and merchants of Boston, containing a disavowal of lawless violences, and lamenting that he was not intrusted with a discretionary power of restoring commerce to its ancient course, without the loss of time which must be occasioned by a reference to the King in council. The justices of the general session, on their meeting in the county of Plymouth, beside their congratulations to Gage on his appointment, expressed serious concern at seeing the inhabitants of some towns influenced by persons calling

6th July.

themselves committees of correspondence, and, with the encouragement of some whose business was to preach the gospel of Christ, and inculcate principles of loyalty and obedience, entering into a league, calculated to increase the displeasure of the Sovereign, exasperate the parent-country, and interrupt and destroy the harmony of society. An attempt was made by the opulent inhabitants of Boston to procure the passing of resolutions for indemnifying the East India Company, and for dissolving the committee of correspondence; but their exertions were over-ruled by a large majority of the lower class.

All conciliatory endeavours were finally frustrated by the arrival of drafts of the bills for altering the charter, reforming the course of justice, and quartering soldiers in the colony. These bills being printed, and actively and profusely distributed in all parts of the continent, completed the exasperation against the government of England. All opposition to the popular cause was suppressed by clamour and violence: the inhabitants of Boston were considered martyrs for liberty, and subscriptions were opened for their relief.

General Gage, fully appreciating the dangers and difficulties of his situation, and knowing the inefficacy, in times of popular commotion, of all appeals to the municipality or the legislature, ordered to Boston some regiments of foot, with a detachment of artillery, who were encamped on the common. They were reinforced by troops from Great Britain and Ireland; but he soon found the usual artifices of the colonists employed, and desertion frequent and much encouraged. To check this dangerous spirit, he first issued a proclamation, offering pardon to those who should return to their duty within a limited time, and denouncing punishment against those who refused compliance; and he placed a guard at Boston Neck, a narrow isthmus, which joins the town with the country. This proceeding, moderate in itself, and dictated by necessity, was made the subject of alarm to the whole colony, and magnified into a design of intercepting communication, and by famine compelling the inhabitants of Boston to comply with

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Drafts of the  
other bills  
arrive.

Their effect.

Arrival of  
troops.

15th July.  
Alarm on  
placing a  
guard at  
Boston Neck.

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the views of government. Such was the effect of these insinuations, that the people Worcester assembled in arms, and deputed persons to inquire into the fact ; to assure the people of Boston of the assistance of several thousand armed men in case of necessity : and at the same time to caution them against the baseness of surrendering their liberties, as such an act would be disavowed by the country\*.

August.  
New Council  
formed.

In the midst of this general ferment, the acts for altering the charter and regulating judicial proceedings were promulgated. Of thirty-six members appointed by the King to form a colonial council, only twenty-four would be sworn ; and of these many were subsequently obliged, by threats and injuries, to resign their commissions. They issued writs, however, according to the statute, for convening an assembly in October.

Law business  
suspended.

Proceedings in the courts of justice were also suspended, for jurors refused to take the oaths under the new judges and the new laws ; and the inferior officers, with all due humility, implored pardon in the public papers for having issued warrants to summon juries ; even if their country forgave them, they said, they could never forgive themselves. The prohibition to *call* any public meeting which was contained in the new statute, was ingeniously evaded ; before its arrival, the town meeting was adjourned to a given day, so that when it reassembled it could not be said to have been *called* ; and thus from time to time its existence was protracted. If this contrivance was found insufficient, the members made a pretext of electing public officers, or even of assembling peaceably, without notification, on their own private affairs ; and when these artifices were detected, they could not be restrained, for the statute imposed no penalties†.

Disaffection and tumult spread on every side ; the

\* Beside the passages already referred to, these proceedings are particularly related, with observations, in the life of General Washington by Jared Sparks, vol. i. p. 123 ; Jefferson's Memoirs, vol. i. pp. 6, 105, 119 ; and Marshall's Life of General Washington, vol. i. p. 168, 169 ; and facts and observations are derived from numerous dispatches in the State Paper Office.

† General Gage to the Secretary of State, 2nd September.

reign of law was dissolved, and General Gage, apprehending more serious consequences from force, took the opportunity of a general muster of the militia, to deprive them of their ammunition and stores, which he placed under special custody, and removed to Boston all those which had been deposited at Charlestown, Cambridge, and Medford. These measures were not adopted without clamour and threats of resistance; destruction of their houses, and abuse of their persons, awaited the friends of government; and even the governor's company of cadets, composed wholly of gentlemen, and supposed to be entirely attached to government, suddenly disbanded themselves, and returned their standard.

Yet the governor did not lose his firmness, or abandon his cause. The select men of Salem having, in defiance of the new laws and of repeated admonitions, proceeded according to their ancient custom to the election of town-officers, he issued orders for apprehending them; but before the command could be executed, the meeting was dissolved. Seeing the indispensable necessity of separating the troops from the people, he resolved to fortify Boston Neck, and to erect barracks; but such was the effect of the spirit which animated all ranks, and of the exhortations by which they were daily inflamed, that, although artizans were reluctantly engaged, the people impeded the projected works by various petty manœuvres; they burned a quantity of straw, sunk boats laden with bricks, and overturned carts employed in conveying wood for the use of the army. General Gage, however, although he anticipated scenes of bloodshed as inevitable, would not commence them by permitting the soldiers to fire on the offenders.

Every effort was employed by the committees of correspondence and the demagogues to keep alive the flame of sedition. Continual alarms were circulated of massacres by the troops; of the town being cannonaded by the ships; and of dangers the more terrific from not being precisely described. Arms were in every man's hand, and although the time did not yet

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Militia dis-  
armed.

2d Sept.  
Stores seized.  
Public re-  
sentment.

Gage's exer-  
tions.

Boston Neck  
fortified.

Outrages of  
the people.

They arm.

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Suffolk  
Meeting.

appear ripe for the commencement of hostile operations against government, the intention was so resolutely manifested as to leave no doubt of the event.

In this state of affairs, when the old charter constitution was abrogated, and the newly established system suspended by violence, the leading men of the province determined on holding an assembly of delegates from all the towns of the county of Suffolk, of which Boston was the capital. This meeting passed resolutions more decidedly hostile to the authority of Great Britain than any which had yet been explicitly sanctioned: they were prefaced, it is true, with a formal profession of allegiance, but were calculated throughout to vindicate resistance, and stigmatize obedience as a dereliction of natural right. The late acts were called gross infractions of civil and religious liberty, which ought to be rejected as the wicked attempts of an abandoned administration to establish despotic government. It was resolved to indemnify all sheriffs, jurors, and others, who should be prosecuted for not carrying into execution any process issued by the present unconstitutional judges, and declared all members of the new council, who should persist in holding their commissions, incorrigible enemies to their country. Their resolutions also censured the fortifying of Boston Neck, and the Quebec act, whereby the religion of Rome and the laws of France were established: recommended a suspension of commerce with Great Britain, encouragement of home manufactures, the holding of a provincial congress, and a strict obedience to the decrees of the continental congress; and the people were exhorted to perfect themselves in the military science, by appearing under arms once in every week. Adverting to the late intended arrest of the select men of Salem, they advised, in case such a measure should be again attempted, that all the officers of so tyrannical a government should be seized, and detained till the others were restored to liberty. They also took upon themselves to *recommend* (which amounted to a decree) that the collectors and receivers of public revenues should retain the monies in their hands till the civil govern-

ment of the province was placed on a constitutional foundation, or the provincial congress should give different orders. They exhorted the people to restrain their resentments, to avoid riots, and convince their enemies, that, in a cause so solemn, their conduct should merit approbation from the wise, and admiration from the brave and free of every age and country. These violent and daring resolutions concluded with the following remarkable instruction, which shews the reliance placed on the committees of correspondence, and the purposes of their institution: "Should our enemies, by any sudden manœuvre, render it necessary to ask aid from our brethren in the country, some one of the committee of correspondence, or a select man from the town where hostilities shall commence or be expected, or from the town adjoining, shall dispatch couriers with written messages to the select men, or committees of correspondence of the towns in the vicinity, who shall send others to committees more remote, until sufficient assistance be obtained; the expence of couriers to be defrayed by the county, until otherwise ordered by the provincial congress."

The meeting also appointed a committee to wait on the governor with a remonstrance against the fortifying of Boston Neck; the insults which the soldiers, encouraged by their officers, exercised against passengers; and the seizure of public magazines. To these proceedings, and the obnoxious acts of parliament, to which they declared their firm resolution, *by divine assistance*, never to submit, the remonstrance imputed the agitation of the public mind. They desired to avoid hostilities with the King's troops, disclaimed every wish and idea of independency, and attributed the troubles in the colonies to misinformation, arising from the sinister designs of individuals. The governor returned a short answer, denying that he intended to prevent free access to Boston, or would suffer any one under his command to injure the persons or property of the King's subjects; but it was his duty to preserve the peace and prevent surprise; and he gave assur-

9th Sept.  
Their remon-  
strance to  
Gage.

His answer.

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The assembly  
meet in defi-  
ance of the  
governor.

Resolve them-  
selves into a  
provincial  
congress.

11th Oct.  
Their remon-  
strance.

ances that cannon would not be used, unless hostile proceedings rendered it necessary.

It has been already mentioned that the governor issued writs, according to the form of the new law, for convening an assembly on the fifth of October: but the course of subsequent events, the tumultuous disposition of the people, and the numerous resignations by members of the council appointed by the Crown, which had reduced them to a number too small to form a house, induced him to countermand, by proclamation, the execution of the writs of summons, and discharge those already returned from the duty of attendance. The leading men, unwilling to renounce the advantage of meeting in a public manner to discuss and resolve, declared the proclamation illegal; the representatives who were elected met at Salem, and, having waited a day in pretended expectation of the governor, denominated themselves a provincial congress, chose Mr. Hancock for their president, and adjourned to Concord, a town distant about twenty miles from the seat of government, where they were less apprehensive of interruption or forcible dissolution.

One of their earliest proceedings was a remonstrance to the governor, in which they vindicated their meeting by a reference to the distracted state of the colony; complained that the rigour of the late laws was exceeded by the manner of putting them into execution, and decried the operation of those statutes as calculated to abridge the rights of the people, and license murder. They represented the alarm from the great increase of troops, and the formidable preparations at Boston Neck, which endangered the lives, liberty, and property of the people, tended to sour and irritate them, and to frustrate their peaceable endeavours toward reconciliation; and entreated him, by his regard for the King's honour, the dignity of the empire, and the public peace and welfare, to discontinue the fortifications, prevent any further invasions of private property, restrain the irregularities of the military, and leave the communication between town and country open and free.

To this address, the general, although averse to a correspondence with an illegal assembly, returned an answer, in which he indignantly denied all their assertions. There was not, he said, a gun planted against the town; no property had been destroyed or injured, except that of the King, whose bricks, straw, and other stores had been wantonly demolished by the people. The lives, liberty, or property of none but avowed enemies could be in danger from the troops of Britain, among whom the most correct discipline was maintained, and who could never harbour the black design of wantonly enslaving or destroying any people; in fact, they had shewn no disposition to hostility, though they might be expected to feel resentment at the exertions used to deprive them even of the necessities of life. He reminded the self-constituted congress, that while they affectedly complained of alterations in the charter, their very meeting was a direct violation of their own constitution; and admonished them to desist from such illegal and unconstitutional proceedings.

Not intimidated by this message, they resolved to adopt the measures suggested by the Suffolk meeting. Finding their recommendations attended with the effect of laws, they issued them on the most important subjects: they settled the militia, arranged means for providing arms, and ordered the receipt of taxes, and the retention of them in the hands of sheriffs and collectors. They also appointed a day of public thanksgiving to the Almighty for the union which so remarkably prevailed in all the colonies\*.

Aroused by these proceedings, the governor issued a proclamation, cautioning the people against paying obedience, or affording sanction to the requisitions, recommendations, directions, or resolves of an unlawful assembly, whose acts were highly seditious, and approximated to treason and rebellion; but the proclamation, as on former occasions, was contemned, and the recommendations universally obeyed. This body,

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His answer.

Their further  
proceedings.

Nov. 10.  
Gage's procla-  
mation against  
them.

\* This thanksgiving was celebrated the 15th day of December following



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5th Sept.  
Sitting of the  
general con-  
gress at Phi-  
ladelphia.

at length, dissolved itself, having appointed the ensuing February for a new meeting.

The congress of Massachusetts Bay received a new impulse, and frequent advice from the continental congress, which was sitting at Philadelphia. They met in a room called Carpenters' Hall, in consequence of a previous arrangement, made by a junto who met separately to give an impulse to measures, and, by the same influence, selected for their secretary Charles Thomson, one of the most violent of those who termed themselves Sons of Liberty\*. It must have been a great triumph to the projector of corresponding committees to observe the unanimity with which this measure was received and sanctioned. No longer did America exhibit the appearance of rival colonies, piquing themselves on separate rights, and boasting the relative advantages of different charters, and different constitutions; all agreed; the same grievances, although not felt by all, were complained of by all; and the same remedy, without apparent previous communication, was generally resorted to, with the only difference of more or less violence according to the genius of the people, or the temper of the favourite leaders. Georgia alone refused to send delegates: all the other colonies deputed various numbers of members, nine being the greatest, and two the smallest representation; they were qualified in various modes, some by the provincial assemblies, some by town-meetings, and some by the committees of correspondence. In Rhode Island the election was ratified by the governor. The whole number who attended congress was fifty-six. The inequality of representation was remedied in the manner of voting, as each colony had one suffrage only in the decision of every question; although the representatives of each colony separately declared, by the enumeration of a majority, on which side that vote should be recorded; a regulation which gave an appearance of unanimity to the proceedings.

Its formation.

Mode of  
voting.

\* More than a twelvemonth before the convocation of this body (7th July, 1773), Dr. Franklin had pointed out, in a letter to Mr. Cushing, its importance and certain effects on the affairs of America.—*Memoirs*, vol. i. p. 220.

The debates were strictly private, with the doors locked and guarded ; thus the people, being prevented from ever attaining a knowledge of the arguments by which any measure was combated or sustained, received the results as the abstracts of wisdom and union, and with the veneration due to oracular edicts.

Some of the votes or instructions to deputies, which were read as credentials at the first sitting of congress, were conceived in loose and general terms, and empowered the deputies to consult and advise on proper measures for advancing the *best good* of the colonies ; but in general they specifically enjoined an attention to the redress of certain express grievances, and the renewal and maintenance of the connexion and amity with Great Britain, so essential to the interests of both. Under these restraints, speculations of a different tendency could not be promulgated till the public mind was further prepared ; and therefore, in all proceedings, a formal acknowledgment was made of the supremacy of the mother-country, and the subjection of the colonies ; although, by subsequent definitions and restrictions, the power of the one, and the submission of the other, were reduced to mere names.

After appointing officers and establishing committees, they took into consideration the proceedings of the Suffolk meeting, their resolutions, recommendations, and address to the governor ; of all which they expressed the highest approbation, and recommended them to general adoption, as the means of carrying such conviction to the British nation of the unwise, unjust, and ruinous policy of administration, as would quickly introduce better men and wiser measures. They approved of the opposition to the late acts of parliament, declared that, in case of an attempt to carry them into execution by force, all America ought to support the people of Massachusetts Bay, and recommended a continuance of the subscriptions for relief of the inhabitants of Boston. They afterward requested the merchants and all other persons in the various colonies to transmit no new orders for goods to the mother-country, but to countermand or suspend those

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Secrecy in  
debate.

Terms of  
instructions.

10th Sept.  
The congress  
approve the  
Resolutions of  
the Suffolk  
meeting.

Further re-  
commenda-  
tions.  
22nd Sept.

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27th.

30th.

Declaration of  
rights.  
14th Oct.

already issued ; and formed resolutions for discontinuing, after the first of December, the importation and use of all goods from Great Britain and Ireland, and for the cessation of all exports to those countries, and to the West Indies, after the tenth of September 1775 ; and they declared the seizure of any person, for the purpose of transporting him beyond the sea, to be tried for an offence committed in America, contrary to law ; it would justify, and ought to meet with, resistance and reprisal.

Meanwhile, a committee, appointed for that purpose, had submitted to congress a series of resolutions forming a DECLARATION OF RIGHTS, which was adopted, and published by authority. It was prefaced by an enumeration of grievances since the termination of the last war, among which were cited the declaratory act, establishing the right of Great Britain to bind America in all cases whatever ; the imposition of taxes for the purpose of raising a revenue ; the establishment of a board of commissioners ; the extension of the admiralty jurisdiction ; the alteration in the establishment of judges ; the revival of the obsolete statute of Henry VIII. ; the three acts of the late session relative to Massachuset's Bay, and that for establishing the government of Quebec ; the dissolution of assemblies, and the disregard shown by ministers to petitions for redress. Under these circumstances, the *good people* of the twelve colonies, justly alarmed at the arbitrary proceedings of parliament and administration, had appointed deputies to a general congress, in order to obtain such an establishment as would secure their religion, laws, and liberties from subversion. Therefore the deputies did, in the first place (as Englishmen, their ancestors, had usually done in like cases), form a declaration, for the purpose of asserting and vindicating their rights and liberties.

They claimed their RIGHTS as founded on the immutable laws of nature, the principles of the English constitution, and their several charters or compacts. From these they assumed for themselves an absolute title to life, liberty, and property, which no sovereign

power could dispose of without their consent. Their ancestors, they said, possessed, and had not forfeited by emigration, all the rights, liberties, and immunities of Englishmen; and their descendants were, therefore, entitled to them, so far as circumstances would admit. The foundation of all free government being a right to participate in a legislative council, and the circumstances of America rendering it impossible for them to be represented in the British Parliament, they claimed a right to free legislation in all cases of taxation and internal polity, subject only to the King's negative: they were willing, however, to consent to the operation of British acts of parliament, *bona fide* restricted to the regulation of commerce, but excluding every idea of taxation, internal or external. The respective colonies were entitled to the common law of England, and to the benefit of all statutes which existed at the time of their colonization, and particularly to the inestimable privilege of a trial by their peers, and in their own vicinage. They were also entitled to all the immunities and privileges granted by their charters, and secured by the provincial laws. They had a right to assemble to consider of their grievances; and all prosecutions, prohibitory proclamations, and commitments on that account, were illegal; as was the keeping a standing army in any of the colonies in time of peace, without consent of the people. And finally, the exercise of legislative power in several colonies, by a council appointed during pleasure by the Crown, was declared unconstitutional, dangerous, and destructive to the freedom of American legislation. These rights, they asserted, could not be legally taken from them, altered or abridged, by any power whatever, without their own consent, by their representatives in their several provincial legislatures. Then recapitulating their grievances, to which they could no longer submit, they declared their adoption of the present measures to be founded on the hope that their fellow-subjects in Great Britain would restore the Americans to that state in which both countries had found happiness and prosperity.

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Non-con-  
sumption  
association.

Their first proposition was an association or agreement against importation or consumption of any articles of British commerce, and against the exportation of their own produce to Great Britain, Ireland, or the West Indies, *except rice to Europe*. A committee was to be chosen in each colony, to superintend the execution of the agreement, and the committees of correspondence were directed frequently to inspect the entries of the custom-houses, for the purpose of informing against such merchants as violated the association, with whom the congress, for themselves and their constituents (who were bound by their signature) agreed to have no commerce or intercourse, but to consider them unworthy the rights of freemen, and inimical to the liberties of their country. The agreement was to continue in force till the repeal of *all* the acts of parliament which constituted their grievances; but some of the articles would in their effect be perpetual, particularly that for encouraging the growth of wool, and one for abolishing the slave-trade.

21st Oct.  
Address to  
the people  
of Great  
Britain.

Another of their measures was to address the people of Great Britain; those of their own colonies and of Canada separately. In each of these productions great art was used in directing appeals to feeling and prejudice, and in citing such circumstances as were calculated, through hope or fear, to gain adherents to their cause. The people of Great Britain were reminded of the struggles maintained by their ancestors in the cause of liberty, and told that the project of ministers in endeavouring to enslave the Americans, derived from the same stock, tended only to the more easy introduction of slavery at home. They claimed a participation of British rights, and flattered the national pride, by affecting to make the freedom of Englishmen the model and scope of their wishes. They recapitulated their services in the former war, and proceedings of Parliament since that time, extenuating the plunder of the tea ships, which they described as a personal, not a public affair, the remedy of which ought to have been sought by the sufferers in the courts of law, without an appeal to Parliament. They en-

deavoured to excite national indignation against the late acts, and directed the severest invectives against the new system in Quebec, as being intended to overthrow the liberties of the British colonies by a vast influx of Catholics, swelled by emigrations from Europe. "We cannot suppress our astonishment," they say, "that a British parliament should ever consent to establish a religion which has deluged your island in blood, and dispersed impiety, bigotry, persecution, murder, and rebellion, through every part of the world." Declaring that the view of ministers in endeavouring to tax America at pleasure, was merely to draw such immense sums into the royal coffers as would render the King independent of Parliament, and that a successful contest would be attended with no other consequence; they demanded, as the means of restoring harmony, to be placed in the same situation they were at the close of the last war.

The address to the colonists contained a recapitulation of all the acts of the British government, against which exceptions were taken; a review of the conduct of the American governors; a vindication of the proceedings at New York and Boston; and a general rehearsal of late grievances. The act for the government of Quebec was stigmatized, and every political and religious prejudice invoked against it. From this detail, as well as from *authentic intelligence received*, the congress inferred, as an indubitable position, that a resolution was formed, and then carrying into execution, to extinguish the freedom of the colonies by subjecting them to a despotic government. Although the state of affairs, they proceeded to observe, would justify *other measures*, yet weighty reasons induced the preference of those they had adopted. Then, recapitulating the resolutions they had taken, they inculcated the necessity of observing them, and frequently alluded to the probability of forcible resistance, advising the people to extend their views to the most unhappy events, and to be prepared for every contingency. In conclusion, they earnestly entreated the people, with devotion of spirit, penitence of heart, and amendment

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Address to  
the colonies.

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Address to  
the people  
of Quebec.

26th Oct.

of life, to humble themselves, and implore the favour of Almighty God, whose divine goodness was fervently besought to take them into his gracious protection.

After the abuse lavished in the foregoing addresses on the Canadians, and the malevolence employed in raising prejudices against their religion and laws, it appears surprising to find them invoked as friends and fellow-citizens to join the colonies, and send deputies to the next congress. They were told that the constitution bestowed on them by Parliament was a violation of the King's promise at the peace; that, in justice, British rights ought to have been substituted for Gallic jurisprudence. Liberty of conscience in religion was stated to be a right of nature, for which they were not obliged to the act of parliament; for if laws divine and human could secure it against the despotic attacks of wicked men, it was secure before. These principles were enforced by artful citations from foreign writers, particularly Montesquieu and Beccaria, and recommended by insidious appeals to the love of glory so prevalent in the French character. On an union with the other colonies, the people of Quebec were told, would depend the alternative of being governed and protected by just and equitable laws, or subjected to all the evils of the English constitution, and French government: these were enumerated in formidable array; the inquisition and the excise; partial judges, and arbitrary governors; privileges and immunities dependent on the smiles or frowns of a minister, *lettres de cachet*, gaols, dungeons, and oppressive service; all these were displayed as the apparatus of a government no less absolute than that of the despots of Asia or Africa.

26th Oct.  
Petition to  
the King.

The petition to the King, after enumerating all their grievances, some of which were of a specific, others of a general nature, presumed, that to a sovereign who "gloried in the name of Briton," the bare recital must justify the loyal subjects who fled to the foot of his throne and implored his clemency for protection. They attributed all the distresses, dangers, fears, and jealousies, which overwhelmed the colonies with afflic-

tion to the destructive system of colonial administration, adopted since the conclusion of the war. "Had "our Creator," they said, "been pleased to give us existence in a land of slavery, the sense of our condition "might have been mitigated by ignorance and habit. "But, thanks be to his adorable goodness, we were "born the heirs of freedom, and ever enjoyed our right "under the auspices of your royal ancestors, whose family was seated on the British throne to rescue and "secure a pious and gallant nation from the popery and "despotism of a superstitious and inexorable tyrant." Feeling as men, and thinking as they did, silence would be disloyalty; and as the King enjoyed the signal distinction of reigning over freemen, the language of freemen could not be displeasing; but his indignation would rather fall on those designing and dangerous persons who daringly interposed between him and his faithful subjects, and who for several years past had been incessantly employed in dissolving the bonds of society, abusing His Majesty's authority, prosecuting the most dangerous and irritating projects of oppression, and accumulating on the petitioners, injuries too severe to be any longer tolerable. Such sentiments, they said, were extorted from hearts that would much rather bleed in the King's service. The charges of the administration of justice, and the support of civil government had been always sufficiently provided for; the constitutional militias were adequate to the protection of the colonies in time of peace, and in war they would always be willing, when constitutionally required, to make strenuous efforts in granting supplies and raising forces; these proofs of attachment were equally honourable to the prince who received, and the people who tendered them; the petitioners prized the privilege of so expressing their attachment too highly ever to resign it to any body of men on earth, and doubted not that the purity of their intention, and the integrity of their conduct, would justify them at that grand tribunal before which all mankind must submit to judgment. They asked only for peace, liberty, and safety; not desiring a diminution of the



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prerogative, or the grant of a new right: the royal authority over them, and the connexion with Great Britain, they would always carefully and zealously support and maintain. They presented their petition only to obtain redress of grievances and relief from fears and jealousies, occasioned by a system of statutes and regulations adopted since the war, which they enumerated by recapitulating all the acts affecting America; and then, appealing to that Being who searches thoroughly the hearts of his creatures, solemnly professed that their councils had been influenced by no other motive than a dread of impending destruction.

Instructions  
to their  
agents.

This petition was transmitted to the colonial agents, with instructions, after delivering it into the King's hands, to make it public through the press, together with their list of grievances, and to circulate, as early as possible, their address to the people through all the trading cities and manufacturing towns.

26th Oct.  
Dissolution.

After these proceedings, they dissolved, having first passed a resolution for convening a new congress on the tenth of May.

Observations  
on their pro-  
ceedings.

The acts of congress, and the general tenor of their determinations, evidently indicated that a plan of hostility and separation from the mother-country was profoundly meditated, and unremittingly pursued by those who possessed the greatest influence, and whose exertions gave a colour to all the proceedings. Most of the resolutions adopted, and the general purport, as well as many marked expressions in the association, addresses, and petitions, pointed decidedly to resistance and independence: even the studious and laboured manner in which those views were verbally renounced, while they were really pursued, contributes to enforce a conviction that the expressions of loyalty and submission were intended only to conceal sentiments diametrically opposite. Fettered as some of the members of the congress were by the instructions of their constituents, many of which enjoined them to pursue none but proper, prudent, and lawful measures, they could not openly advance their claims, and were there-

fore obliged to assume such a mode of conduct as would secure the greatest share of popularity, and diffuse the smallest portion of alarm. Even in the bosom of the congress that unanimity did not prevail which is indicated in the publication of their proceedings: the plans recommended by some of the demagogues were too violent, and the principles advanced in their support too daring, to be adopted by all the members; hence it frequently appears on the journals that strenuous debates were maintained, questions adjourned, and reports re-committed: the effect of these disagreements was, however, prevented from reaching the public, by an artifice of the leaders of the republican party, who, before any business was proceeded on, persuaded the other members to bind themselves in an agreement that their names should be subscribed to whatever might be decided by a majority, and to enter no protest or dissent on the minutes\*. Two parties were formed at the beginning of the sittings: the one, consisting of men of loyal principles, and possessed of considerable fortunes, who had no intention but that of candidly and clearly defining American rights and charters, and explicitly and dutifully petitioning for redress of grievances; these, meaning to do only such things as were reasonable and just, were open and ingenuous. The other party, composed of congregational and presbyterian representatives, men of bankrupt fortunes, and overwhelmed in debt to British merchants, were desirous to throw off all subordination to, and connexion with, Great Britain; they endeavoured, by fiction, falsehood, and fraud, to delude the people from their allegiance, to reduce government to a state of anarchy, and incite the ignorant and vulgar to arms; these men were secret and hypocritical, and essayed every art to conceal their intentions. These parties held each

\* The exception of rice in the association is an instance of the address of the leaders of congress in managing individual interests, and suppressing opposition. The article was at first framed without any exception; but the delegates from Carolina insisting that their constituents would be ruined, and threatening to absent themselves unless a modification were devised, occasioned the ridiculous interpolation of the words *except rice to Europe*, in an agreement forbidding exports to Great Britain and Ireland.

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other in check for some time; but at length the demagogues triumphed; the lassitude attending a perpetual system of defence, and the unwillingness continually to impute principles which were constantly denied, diminished the alertness of their opponents; while the temper infused into the populace, the frequent messages from the provincial congress of Massachusetts Bay, and the examples daily exhibited, of tarring and feathering obnoxious persons, gave additional spirit to the violent, and increased the timidity of the moderate.

These differences of opinion, and necessities of conciliation, account for some incongruities in the proceedings. The declaration of rights is a strong instance; it is founded at once on the laws of nature, those of society, and royal charters; professes at once a duty of obedience, and right of self-government: avows a dependence on British acts of parliament, to the period of the colonization of America, yet denies the right of the mother-country to a subsequent power of legislation. It would result from these principles, that colonies planted at different periods, were subjects in different degrees, and that the Parliament of Great Britain, repealing one of the ancient statutes, could not give force to the repeal in America, without separately consulting each of the governments. The charters were appealed to as the basis of rights, and yet such of them as appointed an independent legislative council were to be abrogated as derogatory to the rights of nature. The petition to the King was merely an insidious mockery; the professions of loyalty were not calculated to give the sovereign assurances of peaceable domination, but to vindicate the petitioners from well-merited charges of disaffection, without renouncing the mode of conduct by which those charges were incurred. The address to the people of America breathes a spirit of hostility and resistance alone; that to the Canadians discovers deep and inveterate malignity against the mother-country, and is replete with mean artifices to cajole the people into disaffection: the appeal to the people of Great Britain is of the same

order, tending to disseminate alarms and jealousies, and create, by means of terror, interest, or policy, a party favourable to the American cause. Their committees were always composed of the most fiery republicans, which may account for the extent and presumption of some of their claims, such as those of repealing all the acts made to affect them since the peace, of insisting on a change of ministers, and of obtaining every demand, without the least concession or promise of reparation for the wrong avowedly committed\*. Yet whatever arts were used in conciliation, or whatever advantages gained in debate, the general congress seemed so little likely to gratify, in their utmost extent, the wishes of the leaders, that it was on the point of separating without passing a resolution to re-assemble, until Silas Deane, one of the members for Connecticut, without previous communication, introduced the proposition†.

Whatever results might ultimately be expected from the establishment of such a body, the decrees of congress did not at first meet with universal sanction. The resolution to refuse importation and to encourage domestic manufactures was sufficiently wise and patriotic; but that which forbade exportation was alike repugnant to policy and justice. Those who had already received goods from England, remonstrated that every principle of propriety and conscience demanded the returns which had been agreed on; but they were

\* This account is derived from the journal of proceedings of congress, and extracts from the votes, &c. Philadelphia printed; reprinted by Almon, London, 1775. The Life of General Washington, by Gerard Sparks, vol. i. p. 129. Also from several tracts, both American and English, particularly "What think ye of the Congress now?"—Galloway's tracts—and Tucker's fifth tract on American subjects. A slight account of this Congress, its division in party feeling, the opinion of some members, and the manner in which the addresses were prepared and carried, are also in the Memoirs of Thomas Jefferson, one of its members most hostile to Great Britain; vol. i. p. 6. Lord Chatham spoke in the highest terms of eulogy of these proceedings. "I have not words," he says, "to express my satisfaction that the congress has conducted this most arduous and delicate business with such manly wisdom and calm resolution as do the highest honour to their deliberations. Very few are the things contained in their resolves which I could wish had been otherwise. Upon the whole, I think it must be evident to every unprejudiced man in England, who feels for the rights of mankind, that America, under all her oppressions and provocations, holds forth to us the most fair and just opening for restoring harmony and affectionate intercourse as heretofore." Correspondence, vol. iv. p. 368.

† From the private information of one who had the fact from Silas Deane.

over-ruled by observations that the British merchants would justly suffer for the injuries their government had committed, and that debts would not be extinguished, but only the payment postponed. The advocates for commercial integrity were few, opulent, and easily distinguished; their opponents numerous, and for the most part needy, if not desperate, in their circumstances, bound by no obligations, connected with no particular spot or system. Armed with the power conferred by the general congress of pronouncing a sort of social excommunication on those who did not conform to their directions, the partizans of revolution exercised a formidable tyranny, by ordering that, in future, no person should deal with them in buying or selling, or in any manner transact business with them\*.

In New York, where the spirit of loyalty was most energetic, the measures of congress were generally disapproved; but still, such is the advantage which violence and clamour ever gain over quiet respectability, that the plan for the overthrow of government still went on. Sixty persons were nominated as a committee for carrying the measures of congress into effect, a list was prepared, and, although less than forty individuals attended, those who had been designated were all appointed. This was ascribed to various causes; those who were well affected had no mutual communication, and were not headed by any influential or conspicuous leader; and, even among them, commercial interests and feelings produced great differences of opinion, while the members of the Church of England were, in all things, threatened and opposed by the dissenters†. Even in Georgia, where it had been refused to send delegates to congress, resolutions were obtained at a small meeting favourable to the views of that body‡.

Effects of  
the congress.

Other colonies, where insubordination had before

\* Among many others, Mr. Andrew Miller, a merchant, from Halifax county, North Carolina, underwent this sentence for refusing to sign the association proscribed by congress.

† State Papers, Letters from Governor Colden to Lord Dartmouth, 4th Nov. and 7th Dec.

‡ Same, Letter from Sir James Wright, 10th Aug.

made but little progress, appeared actuated by the same spirit as the inhabitants of New England. The intention of military resistance was openly avowed and cherished; the militia were assiduously drilled, and arms were provided with great industry and perseverance. On the information of the different governors, the ministry found it necessary to issue a proclamation, forbidding the export of warlike stores; but this prohibition produced only a greater degree of eagerness, and some riots. Mills and manufactories were established for the structure of arms and composition of gun-powder, and premiums were offered for the production of saltpetre.

On the proclamation reaching Rhode Island, forty pieces of cannon belonging to the Crown were seized, with the avowed intention of preventing them from falling into the hands of the King's troops; and the declaration was accompanied with a threat of resistance, should the recovery be attempted. The assembly of the province sanctioned these proceedings, by passing resolutions for procuring, at the public expense, arms and military stores, and for training the militia.

The proclamation also occasioned an insurrection in New Hampshire, where a number of armed men surprised a small fort, called William and Mary, imprisoned the garrison, consisting only of an officer and five men, and did not release them till they obtained possession of the ordnance, gun-powder, and military stores\*.

\* In this chapter, beside the publications and documents already indicated, reference has been had to the papers laid before Parliament, the periodical publications, Almon's collections of papers, and Remembrancer: Stedman, Andrews, and Ramsay; the History of Lord North's Administration, and a great variety of tracts and pamphlets.

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Insurrection  
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14th Dec.  
And in New  
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## CHAPTER THE TWENTY-FOURTH.

1774.

View of government and opposition. — Independency the real aim of the Americans. — Effect of corresponding committees. — Of the proceedings in Massachusetts Bay. — Of the acquisition of Canada. — Of the proceedings of Congress. — Of the efforts of opposition. — Of the acts of last session. — Of the debates on them. — Error of considering the tax on tea the real cause of disturbances. — First effects of the Boston port act. — Publications in England. — Plan of union proposed by Mr. Galloway. — Its fate. — Dissolution of parliament. — Tests proposed. — Characters of leading men : — the Lord Chancellor — Lord Mansfield — Lord Sandwich — Lord Hillsborough — Lord Gower — Lord Dartmouth. — Lords in opposition : Lord Chatham — the Marquis of Rockingham — the Duke of Richmond — Lord Shelburne — Lord Camden — the Dukes of Devonshire and Portland. — Principal members of the lower House : — Mr. Rigby — Sir Gilbert Elliot — Sir Grey Cooper — Mr. Dundas — Mr. Jenkinson — Mr. Thurlow — Mr. Wedderburne. — Opposition : — Serjeant Glynn — Mr. Dunning — Sir George Savile — Mr. Burke — Mr. Charles Fox.

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View of  
government  
and opposi-  
tion.

As we are now entering on the period when Great Britain was about to commence a severe and arduous contest, it will be proper briefly to review the motives and principles of action on each side ; to consider the means of information which government possessed, or might have obtained ; to examine the theories and arguments of opposition, and to delineate the chief political characters who supported and oppugned the measures of administration.

The thin veil with which the Americans covered their designs rendered only a small degree of penetration necessary to discover that absolute independence was the aim of the principal leaders; that they contemplated a revolution as a glorious era, and were prepared rather to plunge their country into the horrors of civil war than renounce their favourite project. Hence their complaints of grievances were clamorous, frequent, and specific; while their professions of attachment and loyalty were merely general, and attended with no precise offers of conciliation or satisfaction. The range of complaint comprised in their late petitions and addresses, extended beyond the possible hope of royal interposition or parliamentary redress: no body of men who had formed or supported any administration since 1764, escaped censure; no party could attempt conciliation without the dereliction of some principle, or the establishment of some claim derogatory to the interest and honour of the country. Nor was cordial conciliation probable on any terms; the hour of separation from the dominion of the parent land was anticipated with anxiety. America, flattered by political prophets, proud of her strength, her extensive domain, her wealth and population (undoubtedly increasing, although greatly exaggerated by the demagogues), and flushed with eager hope of augmenting her subjects by immense emigrations from Europe, bore with impatience the yoke of subjection, and made strenuous exertions to accelerate the period of emancipation.

The union, effected among the colonies, by means of corresponding committees, was a death-blow to the authority of Britain; the Americans were sensible of the advantage, and as soon as the co-operation of all parts of the continent was ensured, advanced bolder claims, diffused broader principles of government, and assumed with less disguise the port and mein of defiance. The references made in their declaration to the rights of nature, the intimation that, like their ancestors, they proceeded, before the adoption of other measures, to state their grievances and their rights,

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Of the proceedings in  
Massachusetts's  
Bay.

and their frequent exhortations to arms, all prove that plans of revolution and resistance were already meditated and digested. Motives of common safety, when they had once assumed a hostile position, cemented the jarring interests of the colonies, and for the time subdued their inveterate jealousies.

The proceedings in the different provinces, especially Massachusetts Bay, before the meeting of congress, were calculated to alarm the government of Great Britain. Already had the legislators avowed that they knew of no authority in the mother-country to collect a revenue, and that submission to acts of parliament made in England, was an inadvertence which ought to be corrected: these pretensions had been supported by violence, tumult, and defiance; measures of severity did not produce the desired effect; resistance only became more general, and the cause of government more hopeless.

Of the acquisition of  
Canada.

A contest with the colonies could not be advantageous to Great Britain; a failure in the ultimate object would be attended with great loss and disgrace, and success would only produce disaster and damage in a valued member of the empire, which must, in the event of a pacification, be repaired, to the injury of the whole body. By acquiring the dominion of Canada, Great Britain, in fact, promoted the American revolution: so many subjects, animated with a spirit of independence, feeling their own force, and exempt from every fear, would not be restrained by a distant power, whose protection they no longer needed, and whose sway they were taught to regard as tyrannical\*.

Of the proceedings of  
Congress.

The spirit of the British constitution is unfavourable to those strong and prompt measures calculated suddenly to check and prevent impending revolution. Had the government been despotic, and the behests of the sovereign the only rule of law, the Americans might

\* Speaking of this event to Lord Stormont, M. de Vergennes observes, "I was at Constantinople when the last peace was made; I told several of my friends there, that I was persuaded England would not be long before she had reason to repent of having removed the only check that would keep her colonies in awe: my prediction has been but too well verified." — Lord Stormont to Lord Rochford, 3rd Oct. 1775.

have been retained in subjection; but under existing institutions, their complaints and petitions were daily discussed in every form, and in all societies, while their agents were occupied in every part of the kingdom in conciliating the people to their pretensions. A claim to liberty always finds admirers and advocates in England; the recollection of their own struggles excites sympathy in British bosoms, and a similar contest, however unjustly commenced, or iniquitously pursued, will ever secure some adherents. Many of their complaints were not devoid of plausibility, and many of their pretensions were well-founded in abstract theory, however repugnant the whole mass of their claims might be to any practical system. The extent of disaffection, and progress of resistance, rendered inevitable some measures, the complaints against which could be supported by arguments drawn from the fundamental principles of the British constitution; and it must always afford cause of regret, when the turbulence and violence of the times render any deviation from those principles absolutely necessary for the maintenance of order and government.

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The efforts of opposition in the late session of Parliament did not benefit the American cause so much in England as in America; the adducing of arguments in their favour in the very senate of the country, whose interest was supposed to consist in opposing them, gave new animation to their partisans\*. Yet the efforts of opposition were not calculated to amend, if it was erroneous, the conduct of the minister. The system of parliamentary opposition is generally, with justice, deemed a contest for power, in which members, for the sake of distressing government, and acquiring popularity, will assume a latitude in discussion, and avow principles which do not form the basis of a practical system. Their advice is never taken as sincerely intended for the advantage of the minister, but as an

Of the efforts  
of opposition.

\* This observation was made in their dispatches by Governors Colden of New York, Sir James Wright of Georgia, and generally by all the friends of Great Britain in America.

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Of the acts of  
last session.

attempt to render his proceedings odious, by showing that they might have been more wise and just.

The general concurrence in the Boston port act, and the animated declarations by several members of opposition, that a severe castigation was due to that town, were calculated, though perhaps not intended, to mislead the minister. In vain would that measure have been sanctioned, if the charter, the source of all the disorders, was left unaltered, or if men, disposed to exert themselves in the cause of government, were delivered up unprotected to the fury of their adversaries. Thus the two other bills became indispensable: and the opposition to their progress must have been regarded as a surprise, or more probably a party manœuvre, as the petitions to parliament, and the protests of the lords, appeared written with a systematic concurrence of sentiment, decrying every proceeding relative to America since the repeal of the stamp-act and passing the declaratory law, and promising the restoration of tranquillity if the same measures were again pursued. But if these politicians were sincere in their expectations, how must they have been astonished when congress declared their right to an exemption from all acts passed since their colonization? How disconcerted when, in the enumeration of grievances, the declaratory act stood prominent on the list, and was assailed with great asperity?

Of the debates  
on them.

Prophecies of resistance, when made in general terms, were not entitled to more credit than those of submission, if certain relief were granted; that of Governor Pownall\*, which displayed the means and measures of American opposition, is remarkable for its truth in detail, but contains no principle by which government could ascertain its correctness, nor any mark by which it could be distinguished from an imperfect information of certain facts, and a disposition to prognosticate what the prophet rather wished than expected. All members acquainted with America, whether adherents of ministry or opposition, agreed

\* See page 71.

that no native military force could resist the troops of Britain. This would have been an impolitic and cowardly motive for urging hostilities, but was surely a good ground for concluding that a desperate and impolitic opposition to legal authority would not be maintained with perseverance. The want of importance in the supposed cause of contest, and the certainty expressed by Lord North, that, on a show of submission, conciliatory measures would be adopted, must also have contributed to impress a belief that the Americans would not risk a conflict so desperate and unequal.

It was a great error, both in ministry and opposition, to regard the tea-tax as the cause of the American disturbances; it was indeed the point on which the contest with Great Britain was to be raised; but not the repeal of that tax, or any other measure, save such a general system as would leave to the mother-country only a nominal sovereignty, would have restored tranquillity. In their demands on government they avowed the full extent of this principle; and, in marking the line of their voluntary subjection, reserved a ground for future cavil, by declaring they would submit only to such acts as were *bona fide* intended for the regulation of their trade.

The information received from America for some time after passing the Boston port act, afforded the best hopes of its beneficial effects: the non-importation agreement, recommended by the people of Boston, was said to be coldly received in some places, and rejected in others; but, in proportion to the assistance they obtained, and the resolution they expressed, their spirit diffused itself among the colonies, till the general congress completed the ascendancy of disaffection. Some of the governors gave hopes that the popular rage would cool; others appreciated more justly the effects of a contagious enthusiasm; and the governor of South Carolina, in particular, drew an alarming though just picture of the consequences to be expected from the diffusive spirit of opposition.\*

\* He said, "I observe with great concern, that this spirit of opposition to taxation, and its consequences, is so violent, and so universal throughout

Error of considering the tax on tea the real cause of disturbances.

First effects of the Boston port act.

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Publications  
in England.

Such a crisis could not fail of calling forth great diversities of political opinion, which were detailed through the press, and formed the creeds of different parties. On one hand, the supremacy of British authority, and the right to tax and coerce the colonies in every case, were asserted; on the other it was affirmed, that from the moment men transplanted themselves from their native shores and ceased to be represented in the senate of their country, the duty of obedience ceased; every act of sovereignty in the parent state ought to be resisted as mere tyranny. These extreme doctrines were argued with great warmth, but little effect; and as the reasoners on both sides drew their materials from sources widely different, and from principles diametrically opposite, no medium could be imagined by which their opinions could be so reconciled as to form a guide to peace without dereliction of national honour, and what had ever been considered national property.

The question, in what manner the exigency of the times should be encountered? occasioned more instructive and interesting discussions. Those who rather led than followed the Americans, in denying the authority of Great Britain, recommended abject and total submission: to withdraw our ships and troops from their shores, and owning their right to a separate government, receive with humility, from those who

"America, that I am apprehensive it will not be soon or easily appeased. The general voice speaks discontent, and sometimes in a tone of despair, as determined to stop all exports to and imports from Great Britain, and even to silence the courts of law, foreseeing, but regardless of, the ruin that must attend themselves in that case; content to change a comfortable for a parsimonious life, to be satisfied with the few wants of nature, if by their sufferings they can bring Great Britain to feel.

"This is the language of the most violent; others think it is going too far; but the most violent too often prevail over the most moderate. When men shall in general lay aside the hopes of getting riches, and abandon the employments of agriculture, commerce, and mechanic labour, what turn their leisure time under such circumstances may take, I submit to your lordship's knowledge of history, and of the human mind. Such sudden and great changes in the manners of an extended thriving people, among whom the gazettes are filled with such variety of articles for luxury, is scarce credible, though possible; but the continuance of it very improbable. The first account of the result of Congress at Philadelphia may reach your lordship the beginning of November. I think it my duty to make this true and faithful representation of the disposition and temper of the people, however disagreeable it may appear, and to confide in the royal wisdom for the remedy." Governor Bull's Letter to the Earl of Dartmouth, 31st July, 1774.

were so lately considered as subjects, an amnesty for past wrongs, and a precarious friendship and conditional alliance in future.

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Those who were more covert advocates of the cause of American independence, who affected to consider taxation as the only grievance complained of, advised a complete abandonment of all views of revenue, and a restoration of the political relations of the two countries as they stood at the close of the late war. This was the fashionable doctrine of Parliamentary oppositon, and was recommended through the press, by sentiments of peace and conciliation, and assurances of retaining the greatest and most essential source of British opulence. Some differences prevailed among these writers respecting the measures to be adopted if conciliatory efforts failed; all appeared to consider the thunder of British vengeance as infallibly sure to strike to earth a contumacious spirit of resistance; but few had the magnanimity, like Lord Chat-ham, to record their opinion of its expediency, if required. The progress of events, in the course of the year, made it apparent, that no sacrifices which Great Britain could make, less than an absolute dereliction of all authority, would be attended with the desired effect; and therefore the counsels of this class of reasoners were daily in less repute, and considered as dis-tempered speculations.

One writer alone\*, well versed in history, commerce, and politics, penetrated into the true question in dispute, and the probable results. He saw that the struggle was in fact maintained for independence; a long war would be necessary to enable Great Britain to obtain, if it were possible, her former ascendancy; but the expense of such a contest would more than countervail all the advantages to be derived from an enforced and sullen submission, unaccompanied with cordial esteem, or a real desire to promote the interest of the mother-country. He estimated justly the natural and legislative right of Great Britain, and ex-

\* Dr. Tucker, Dean of Gloucester.

posed, in striking colours, the fallacy of reasoning, by which American ingratitude and contumacy were vindicated. His advice was bold and decisive; it was, as expressed by himself, "to separate totally from the colonies, and to reject them from being fellow-members and joint partakers with us in the privileges and advantages of the British empire; because they refused to submit to the authority and jurisdiction of the British legislature; offering, at the same time, to enter into alliances of friendship and treaties of commerce with them, as with any other sovereign, independent states\*." This was utterly impracticable in a deliberative government like that of Britain, where responsibility is attached to advice, and where the people had been taught to affix so high a value on the American connexion. The most ambitious and daring of mankind would not have ventured to accept the situation of minister, on condition of enforcing such a plan.

The ministry were fully imbued with the opinions currently entertained, of the great importance of America†; and feeling, with just consciousness, the valour and resources of the mother-country, were more ready to accede to the arguments of a fourth class of reasoners, who recommended that concession on the part of America should precede any effort at conciliation by Great Britain. If the social compact between the two countries must be new-modelled, the mother-country should have the privilege of dispensing

\* Humble Address and Earnest Appeal, p. 5. General Gage expressed similar, but stronger sentiments, in a letter to Government, written in September, 1774: he charges the people of Boston with entertaining over-weening notions of their importance to Great Britain. "The fisheries in which they are rivals, potash, lumber, iron, and shipping, all which they export to Britain or places under her protection," have made them opulent; were they cast off, and declared aliens, they would become a poor and needy people. State Papers.

† On this subject, Lord Dartmouth, secretary of state for the colonies, used the following expressions in a letter to General Gage, dated 3rd June, 1774. "The constitutional authority of this kingdom over its colonies must be vindicated, and its laws obeyed throughout the whole empire. Not only its dignity and reputation, but its power, nay, its very existence depends upon the present moment; for should those ideas of independence, which some dangerous and ill-designing persons here are artfully endeavouring to instil into the minds of the King's American subjects, once take root, that relation between this kingdom and its colonies, which is the bond of peace and power, will soon cease to exist, and destruction must follow disunion."

her benevolence, and not be compelled reluctantly to concede extorted claims. Rather than be thus degraded, she ought to assume all the terrors of indignation, restrain the factious, awe the turbulent, and punish the guilty.

If any hope of a specific adjustment, comprising a redress of all grievances and the retention of British authority, could yet be entertained, it must have been founded on the plan of forming a general legislative and administrative government, extending its authority over all parts of the continent, without abrogating the several charters of the provinces, so far as they related to their internal government. Such a plan was suggested to Congress by Mr. Joseph Galloway, one of the delegates from Philadelphia; who, although a warm friend to his country and her real interests and liberties, was shocked at the proceedings of those whom he saw inclined to pursue the attainment of independence even through the paths of rebellion and civil war. He framed, as an outline, not a perfect plan, a resolution, which, while it announced the intention of Congress to apply to the sovereign for a redress of grievances, explicitly declared their abhorrence of the idea of being considered independent communities, and proposed, as the terms of union, that a British and American legislature, to be denominated a grand council, should be established; each colony returning representatives, but retaining its present constitution and powers of internal government. A president-general to be appointed by the King, and the body renewed every three years; the members to be elected by the representatives of the people in each province, the council to choose their own speaker, and to enjoy all the rights, liberties, and privileges exercised by the House of Commons. The president-general and council to form an inferior and distinct branch of the British legislature; and general regulations, formed in either, to be transmitted to the other, and of no validity in case of dissent; but, in time of war, bills for granting supplies prepared by the grand-council

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Plan of union  
proposed by  
Mr. Galloway.



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Its fate.

and approved by the president-general, were to be valid, and passed into laws without the aid of Parliament.

This project was received with great satisfaction by many distinguished members, and ordered to be taken into consideration on a future day. Had it been so, its nature and merits would have been generally disclosed, and probably acceded to by a great portion of the people. To prevent a result so unfavourable to their views, the revolutionary party, seizing an opportunity when their opponents were absent, passed a new vote, expunging the former and the plan itself from their minutes; nor would they permit the dissent of Mr. Galloway and another member to be recorded.

Opinion of  
government.

This plan, if it had been received with an honest spirit and matured by deliberation, might have prevented the calamities which followed; more especially as the British ministry declared that the idea of union on some general constitutional plan was undoubtedly just, and expressed hopes that it might still be attainable through some channel of mutual consideration and discussion\*.

Irresolution  
of ministry.

The necessity of recurring to arms was regarded with alarm and extreme reluctance. The ministry temporized till the spirit of faction had gained too great a height to be effectually suppressed; and discordant sentiments, relative to the employment of force or the trial of conciliatory methods, prevailing in the cabinet, palsied the vigour of government, and gave an air of indecision to all their proceedings. Their severities consequently failed to impart terror, and the Americans, instead of returning to their duty, cheerfully braved difficulties, and even courted hostilities.

30th Sept.  
Dissolution  
of Parlia-  
ment.

In the course of the autumn, Parliament was suddenly dissolved.

\* Letter from Lord Dartmouth to Governor Colden, January 7, 1775. A full account of the project and the proceedings on it is also in the State Papers; and, soon after its failure, Mr. Galloway published it at New York, and in 1780, it was reprinted in London, under the title of "A candid examination of the mutual claims of Great Britain and the Colonies, with a plan of accommodation on constitutional principles."

Before this event, tests had been proposed in many countries, cities, and boroughs, calculated to bind the representatives to support or resist certain measures : this unconstitutional and pernicious practice was not general, and was frequently rejected, even by those candidates who might be supposed most anxious for popularity. Mr. Wilkes, who was elected to represent the county of Middlesex, at a meeting of freeholders, jointly with his colleague, Serjeant Glynn, proposed and signed a test, containing most of the articles of the popular creed. Although the notices of election were extremely short, the contests in many parts of the kingdom were maintained with great spirit and perseverance ; and many who had seats in the former Parliament were rejected.

The house of lords contained at this period many members of distinguished abilities, who supported the measures of government. Lord Apsley, afterward Earl of Bathurst, filled the office of chancellor ; he had passed through the labours of his profession with reputation, holding successively the posts of solicitor and attorney-general to Frederick Prince of Wales, and of attorney-general to the Princess Dowager : in 1754 he was made a judge of the Court of Common Pleas, and in 1771 received the great seal, after being one of the commissioners from the death of Mr. Charles Yorke. His eloquence was clear and methodical ; but his views of politics were not extensive, nor his exertions in debate frequent, or essentially serviceable.

William Earl of Mansfield, Lord Chief Justice of the King's Bench, had long maintained an unrivalled reputation as a lawyer, and an exalted character as a statesman. He was perfectly acquainted with the history and constitution of England, versed in the practice of its laws, and enlightened by all the information necessary to form a comparison and connexion between them and the best of ancient and modern systems. He obtained a seat in the House of Commons in 1742, when he was in his thirty-eighth year, his faculties no less matured by experience than improved by study. He commenced his parliamentary career as a supporter

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Lord  
Mansfield.

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of Lord Carteret's administration, which was vehemently opposed by Mr. Pitt, and his eloquence was no less celebrated in the senate than at the bar. His language was natural, yet elegant, arranged with method, and applied with the utmost ingenuity; his images were often bold, always just; his eloquence flowing, perspicuous, convincing, and impressive. He was endowed with a most retentive memory, which rendered his replies irresistible from the facility of repelling the arguments of his adversaries, and exposing their fallacy, weakness, or incongruity. He affected no sallies of imagination or bursts of passion, but made his appeal rather to the reason than the feelings, and did not, even when attacked, condescend to personal abuse or petulant altercation. His speeches were characterized by acuteness, and recommended by clearness and candour; his reasoning introduced itself so easily into the minds of his hearers, as to convey information and conviction. His manner was moderate and decent, not presuming and dictatorial; but expressive of that dignity which, arising from superiority, does not produce disgust. Though of low stature, his person was remarkable for ease and grace; he possessed a piercing eye; a voice finely toned; his action was at once elegant and dignified, and his countenance replete with fire and vivacity. He supported through life the utmost consistency of political conduct, never courting popular applause so much as the approbation of the wise and good, yet not intimidated, by the appearance of danger, or the fury of party, from pursuing that conduct, or enforcing those sentiments which were dictated by his own conviction. Too mild to be the leader, too wise to be the dupe, of any party, he was believed to speak his own sense of public measures. The House of Lords paid greater deference to his authority than to that of any other individual; and he was frequently consulted by the King. The perspicacious eye of envy and jealousy could not establish a fault in his political conduct\*, and malignity was re-

\* He was severely attacked by Wilkes, Junius, Andrew Stuart, and others; even when party rage was highest, their efforts produced only a clamour of the

duced to the miserable resource of extorting from his descent the means of indirect implication, imputing to him those attachments and principles by which his relatives were influenced; but which he had not, in his juridical or senatorial capacity, ever adopted. Lord Mansfield was a conspicuous and constant supporter of administration in the American contest: in 1766, he had delivered his opinions on the subject of British authority, and American resistance, in the House of Lords\*, and the judgment he then professed appears to have swayed him in every subsequent crisis†.

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The Earl of Sandwich, first lord of the Admiralty, was a veteran in parliamentary contest and official employ, having, in 1739, taken his seat in the House of Lords. He joined the Duke of Bedford in his opposition to Sir Robert Walpole, and continued with the duke in opposition to the succeeding administration. On the formation of the broad-bottom ministry in 1744, he was appointed a lord of the Admiralty; and, in 1746, plenipotentiary at the congress of Breda, in which character, in 1748, he signed the peace of Aix-la-Chapelle. On his return he was made first lord of the Admiralty, and a privy counsellor. He was removed in 1751, but regained an official situation in 1755, when he was constituted joint vice-treasurer of Ireland. He resigned his office in 1763, on being nominated ambassador extraordinary to the court of Spain; but his personal services were not exerted in that situation, and he was, in 1763, re-appointed first lord of the Admiralty. In the Duke of Bedford's administration, he held the seals of secretary of state; on the dissolution of that ministry, in 1765, was again out of office till 1768, when he became joint postmaster general; on the termination of the Grafton administration, in 1770, he received the seals of the

Lord Sand-  
wich.

populace: men of sound judgment, in every rank, and of all parties, have since concurred in acknowledging the futility of the accusations.

\* "Proceed, then, my lords," he said, "with spirit and firmness; and when you shall have established your authority, it will then be time to shew your lenity." See Holliday's Life of Lord Mansfield.

† This delineation is derived from the characters of Lord Mansfield, by Bishop Newton, Dr. Johnson, Bishop of Worcester, and various other authorities collected by Holliday, in his Life of Lord Mansfield, p. 456, et seq. and from private information.

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home department; and in 1771, again became first lord of the Admiralty. In all his official employments, Lord Sandwich displayed great vigour and judgment, in introducing reform, economy, and activity. In the Admiralty those qualities were peculiarly required; as, since the conclusion of the late war, great negligence had prevailed; insomuch that, at the period of the dispute with Spain, respecting Falkland's Islands, it was much doubted whether the naval force of Great Britain could cope with that of the Bourbon family. The good effects of Lord Sandwich's exertions were perceptible in 1773, when the menaces of a British armament were sufficient to deter France from engaging in the war between Russia and the Porte: but the complete re-establishment of a marine force, after a long period of indolence, negligence, and improvidence, accompanied with that parsimony which incurs infinitely more expense than it avoids, was a task of great labour, and required time for its completion. The introduction of care and subordination in departments where waste and disregard of discipline had long prevailed, created many personal enemies, and none of the ministry experienced more severe and frequent attacks than the first lord of the Admiralty.

The efforts to render him unpopular, or rather hated, or contemned by the low and inconsiderate portion of mankind, were much advanced by the clamours of Wilkes and his adherents. His lordship having been the means of exposing that obscene libel, "the Essay on Woman," the moral irregularities of his own life were detailed with violent exaggerations; and it being asserted that the poem in question was long known to, if not in part composed by him, supplied his adversaries with a nick-name for him, which was constantly repeated, and produced more effect among the vulgar than could have resulted from the declamation of the orator or the works of the statesman\*. In debate he was rather able and intelligent,

\* A character of Lord Sandwich, compressed in form, but ample and distinct in delineation, is given by Mr. Butler, an eminent conveyancer, in his interesting *Reminiscences*, vol. i. p. 74.

than brilliant and eloquent: his arguments were strongly pointed, and his speeches distinguished for sound sense and appropriate knowledge. His unruffled temper gave him great advantages in the refutation of charges: and the house listened to him with attention, from a conviction that he was not an obtrusive orator, but spoke only when he possessed essential or exclusive information\*.

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The Earl of Hillsborough, though no longer secretary of state for the colonies, continued to give his advice and assistance to the ministry. He supported their proceedings with zeal, firmness, and ability: his experience made him a competent judge of the great topics of dispute, and in debate he rendered ready and effectual services.

Lord Hillsborough.

The measures of government were officially supported by Earl Gower, lord president of the council, who obtained a seat in the House of Commons in 1744, and ever since that period had been a distinguished member of the senate, and filled several offices of respectability; the Earl of Dartmouth, secretary of state for the colonies, who chiefly confined himself to the details of office and explanations required in the course of debate; and for some time by the Duke of Grafton, lord privy seal.

Lord Gower.

Lord Dartmouth.

The opposition was formidable on account of acknowledged talent, and the popularity of many of its members.

The Earl of Chatham, seeming to acquire new vigour from the importance of the crisis, was indefatigable in exposing to censure the conduct of administration. His declining sun shone with meridian splendour, and never were his extraordinary faculties displayed with greater energy than during the American contest†. The popularity and success of his own ad-

Lords in opposition.

Lord Chatham.

\* Derived principally from Memoirs of Lord Sandwich, by the Rev. John Cooke, M.A.

† The eloquence and manner of the Earl Chatham are admirably characterized in an extract of a letter from Mr. Stillingfleet to Dr. Dampier, afterward dean of Durham; London, November 17, 1761. "Mr. Aldworth was at the house last Friday. Pitt was greater than ever; he is a most wonderful man: I question whether there ever was so complete an orator since Demosthenes; every attitude, every action, every look, every tone of voice was a masterpiece,

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ministration ; the regard due to his years and character, made him the most conspicuous of parliamentary speakers. His observations were repeated by the public with profound veneration, and even his opponents in Parliament frequently mollified their difference of sentiment, by a complimentary tribute to his character and abilities, and a sort of indirect apology for not coinciding in judgment with him.

The Marquis  
of Rocking-  
ham.

With those who considered the taxation of America as the *sole* cause of the existing disputes, the Marquis of Rockingham had the greatest claim to popularity ; his administration, though short, produced several measures calculated to gratify the public. He is described by Mr. Burke\* as a person of sound principles, enlargement of mind, clear and sagacious sense, and unshaken fortitude. These qualities secured many adherents ; but their effect was diminished by a deficiency in parliamentary eloquence. He seldom took a share in debate, even to defend his own administration ; spoke with an air of embarrassment, and in a tone almost inaudible.

The Duke of  
Richmond.

The Duke of Richmond was an active and indefatigable opponent of administration. In the Rockingham ministry he held the seals of secretary of state ; and in 1766, was appointed minister plenipotentiary to the court of France. He was endowed with considerable abilities, improved by laborious perseverance, and the associations incident to a military life. In debate he evinced a prompt and decisive mind : always seizing some censurable point, which he attacked with force and pertinacity. His reprobation of the measures of administration was never qualified in terms or manner, but always calculated to convince the hearers that it was the genuine offspring of conviction.

"to say nothing of his words. It was perhaps the most ticklish and trying situation man could be in ; yet he acquitted himself almost without censure. "In short, he may take pensions, and titles, and resign at a critical juncture, and talk imprudently of guiding, &c.—it is all nothing, when once he is heard. "You remember, perhaps, how Æschines endeavoured to give an idea of the power of Demosthenes to the Rhodians when he was banished ; he is such a man, said Æschines, that were I to wrestle and throw him, he would persuade you all that he threw me."

\* Speech on American Taxation ; Burke's Works, vol. i. p. 548.

The Earl of Shelburne possessed ready powers of argumentation, applied himself to the commercial and political relations of Great Britain, and was well versed in foreign affairs. He was first lord of trade during the Duke of Bedford's administration in 1763, and, under the auspices of Lord Chatham, by whom he was held in high estimation, filled the office of secretary of state.

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Lord Shel-  
burne.

Lord Camden was the principal law lord in opposition, and his exertions were of the utmost importance. He was a member of the House of Commons from 1754, till December 1761, when he was appointed chief justice of the Common Pleas. In that court, he presided with dignity, firmness, and impartiality: his popularity was established by the memorable questions relative to Wilkes, and considerably augmented by his opposition to the American war. His legislative information was recommended by a ready, nervous, and persuasive eloquence, and his reasonings were drawn from a thorough and accurate knowledge of the constitutional history of the country. He was personally attached to Lord Chatham, to whom he was indebted for his advancement, and during whose administration he was elevated to the dignity of lord chancellor, and was the constant and persevering opponent of Lord Mansfield.

Lord Camden.

The Dukes of Devonshire and Portland seldom addressed the house; the former often compensated for silence by a few words of singular force and neatness: they joined in the important protests, assisted the party with all the weight of their connexion and personal influence; and were equally respected for independence and integrity.

The Dukes of  
Devonshire  
and Port-  
land.

The lower house exhibited an unusual assemblage of abilities on both sides.

In the lower  
house.

Mr. Rigby, paymaster of the forces, was a vigorous and intrepid speaker. Sir Gilbert Elliott was endowed with firm and manly sense, and clearness in detail, highly advantageous in debate; and Sir Grey Cooper rendered essential services by knowledge of business, facility in debate, and a strict attention to,

Mr. Rigby.  
Sir Gilbert  
Elliott.  
Sir Grey  
Cooper.



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and accurate acquaintance with, the affairs of finance ; he enjoyed the full confidence of the minister, under whose auspices he was introduced into parliament, and to whom he remained invariably attached.

Mr. Dundas.

Mr. Dundas, lord advocate of Scotland, had acquired considerable eminence by his proficiency in the civil and common law, by application, and by the order which he introduced into all the affairs of office. Although he seemed to lie under some disadvantages from his native accent, yet few were heard with greater attention : he was an able and spirited debater, never shrinking from the question, and declaring his opinions with manly firmness, without the pomp of studied phraseology, or the glare of rhetorical ornament.

Mr. Jenkinson.

Mr. Jenkinson, subsequently Lord Hawkesbury, and Earl of Liverpool, first attracted public notice by a treatise on the conduct of the Government of Great Britain toward Neutral Nations ; he was versed in the constitution, applied himself to commercial and political questions, and spoke with correctness and precision. He sat in two preceding parliaments, and his merits were acknowledged by various ministers. In 1766, during Lord Chatham's administration, he was a lord of the Admiralty, and, in 1772, joint vice-treasurer of Ireland.

The principal members of the robe who supported administration, beside Sir Fletcher Norton, the speaker, were Thurlow and Wedderburne.

Mr. Thurlow.

Thurlow was nervous, impressive, and majestic ; he delivered the resolute dictates of a superior intellect, without soliciting applause. From him truth appeared above the aid of art ; and the judgment was summoned to yield without an appeal to the intervention of fancy.

Mr. Wedderburne.

Wedderburne was acute, perspicuous, elegant, and persuasive ; he alternately essayed the force of reason, and the charms of eloquence ; sometimes attacking the judgment with refined argument, at other times appealing to the fancy with the powers of wit and graces of elocution.

Opposition.  
Serjeant  
Glynn.

The most distinguished lawyers in opposition were Serjeant Glynn and Mr. Dunning. Glynn became

member for Middlesex, in consequence of his exertions in behalf of Wilkes; and to the same cause may be attributed his attaining the recordership of London in 1772. He was not a frequent speaker, but generally engaged in popular questions, and delivered his sentiments with eloquence and boldness. His health was already much impaired, and an early death deprived his party of his support.

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Dunning enjoyed an unequalled reputation at the bar, and had filled the office of solicitor-general. He united a perfect knowledge of the law, with a liberal view of politics. The meanness of his figure, the ungracefulness of his action, and monotony of his voice, were all lost in the rapidity of his conceptions, the fluency of his words, the flashes of his wit, and the subtlety of his arguments.

Mr. Dunning.

Sir George Savile, who in the present and two preceding parliaments, represented the county of York, was respected for the soundness of his understanding, the firmness of his principles, and the integrity of his motives. Possessed of a large fortune, and never having accepted any official situation, he was not influenced by views of ambition, or fettered by obligations or connexions; his opposition was constant and vigorous, and he was considered at the head of the country gentlemen in the minority.

Sir George  
Savile.

Colonel Barré joined to a practical acquaintance with affairs, a bold and nervous eloquence. He reasoned or ridiculed; rolled the deep-toned thunder of personal denunciation, or uttered sallies of sarcastic animadversion, with equal readiness and equal effect; and with a constant disregard of urbanity and moderation.

Colonel  
Barré.

Mr. Burke came into Parliament under the immediate auspices of the Marquis of Rockingham, to whom he was introduced merely by the reputation of those learned and admirable publications, which at an early period fixed his fame on an enviable eminence. He was Lord Rockingham's confidential political adviser, and on his judgment and address the proceedings of the anti-ministerial party in a great measure depended.

Mr. Burke.

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Burke enjoyed the rare advantage of being equally eloquent in speech and in writing, and the Irish accent and manner, which he never lost, were forgotten in the variety of his excellencies. He possessed great literary taste, much learning, general knowledge, an intimate acquaintance with the law of nations, and a sagacity which penetrated into the political nature of man, and confidently deduced, from visible causes, those effects which to a less intuitive mind seemed remote and problematical. At his first entrance into the senate, he established a high reputation, which in all the vicissitudes of a laborious life he never relinquished. His oratory was of the highest class; and if he appeared on some occasions to give the rein to his fancy, to the prejudice of his judgment, it may be confidently asserted that no man who spoke so much, and on so many important topics, compensated for a few faults with such a number and variety of beauties. If Burke wandered, the elegance of the digression, and the ingenuity with which it was reconciled to and connected with the main subject, repaid the momentary impatience of the auditor. If occasionally he seemed to trifle, or descend below his proper level, he regained his accustomed position with such elastic vigour, and atoned for his temporary aberration with such a splendid profusion of rhetorical beauties, that the most captious felt ashamed to censure, and the most fastidious were abundantly satisfied. To him all nature and all science tendered tributary stores: in this inexhaustible opulence, he consulted rather his own resources than the mere wants of the subject, and scattered the treasures of his intellect with unrestrained prodigality: his fervid mind assailed the topic of discussion in every possible direction, and he seemed at last to desist, not because he was exhausted, but because the object of investigation could not afford a point on which to fix a new illustration. To a poetical ardour of imagination, Burke joined a warmth of temper which occasionally transported him beyond the bounds of discretion; but even this frailty had no considerable effect on his argumentation. If he was warm, his rea-

soning was not less cogent; and although the indignant sensations of the moment sometimes produced expressions which appeared inconsistent with prudence, and derogatory to his high reputation; still the correctness of his images, the happy application of his wit, and the force of his raillery, obliterated the recollection of his defects, and left on the mind no other sensations than those of exquisite gratification. Colonel Barré equalled, or rather transcended, him in this fault, but did not possess the same redeeming qualities. In detailing general principles, Burke was extremely fortunate: they always seemed appropriate to his subject, not introduced to cover a defect in the texture of his chief argument, but generated from a natural combination of expansive knowledge, and specific investigation. From him nothing appeared trite, nothing inelegant or unfinished; his faults as an orator arose from the excess of his excellencies; he reasoned after the hearer was convinced; he illustrated when the topic was perfectly luminous; he urged fresh grounds of defence when acquittal was already secure; and persevered in accumulating motives of censure, when the indignation of his audience had already attained its highest pitch. He was formed most powerfully to support, assist, or guide, but never to head a party.

At the period of which we are treating, the reputation of Mr. Burke was in its zenith, and his exertions were sufficient to influence, in a considerable degree, the politics of the times; but, great and admired as they were, the effect they produced was not to be compared with that which resulted from the efforts of the Honourable Charles James Fox, second son of Lord Holland.

Mr. Fox displayed, at Eton and at Oxford, an ardent attachment to classical literature, and gave presage of his future genius by unwearied application to Cicero and Demosthenes, and by preferring the Athenian to the Roman orator. Even in the earliest periods of life, and during all the vicissitudes of pleasure and dissipation, he was indefatigable in the exercise of his argumentative faculty. The indulgent partiality of

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Mr. Charles  
Fox.

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his father supplied abundant means of gratifying inclinations natural to a youth of warm passions, totally exempt from restraint; and his great talents were shrouded from the view of those who could not discern them through the veil of unbounded dissipation. He obtained a seat in Parliament before the period of legal maturity, and was, in 1770, appointed a lord of the Admiralty; but his support, though marked with all the ardour of his temper and energy of his genius, was not yet deemed essential to the cause of government: he had more than once participated in the unpopularity of administration, without the credit of sharing the direction of their measures. In 1772, he resigned his situation at the Admiralty with marks of disgust, and was then expected to join the ranks of opposition\*. The difference was, however, accommodated, and he soon afterward† received a seat at the treasury-board, from which he was dismissed in March 1774, with circumstances which occasioned the most lively indignation. To the period of his quitting the side of the minister, Mr. Fox was considered by some as a man for whose political errors, and levity of conduct, youth and inexperience afforded charitable excuses‡; but he soon “discovered powers for regular “debate, which neither his friends had hoped, nor his “enemies dreaded§.” By an unaccountable deviation from his usual path of urbanity, Lord North had communicated his removal from office|| in terms of levity, if not derision, ill suited to the character and pretensions of the individual who was dismissed. If, in doing so, he was influenced by any opinion to the disadvantage of Mr. Fox, he soon had reason to repent his error, and to find that he had “thrown a pearl “away,” the value of which was inestimable. If the opposition party did not, at first, place unbounded confidence in him, they soon felt the necessity of sub-

\* Gibbon's Posthumous Works, vol. i. p. 449.

† 9th January, 1773.

‡ Debates on Mr. Grenville's Act, 25th February, 1774.

§ The expression of Gibbon.—Posthumous Works, vol. i. p. 489.

|| Chatham Correspondence, vol. iv. p. 327.

mitting to his guidance, for they found in him what they had so long been reproached with wanting—a leader—a head.

The force of Fox's oratory cannot be adequately described, and can be felt only by those who have heard him on important occasions. His speeches were luminous, without the appearance of concerted arrangement; his mind seemed by its masterly force to have compressed, reduced, and disposed the whole subject, with a confident superiority to systematic rule; the torrent of his eloquence increased in force as the subject expanded; the vehemence of his manner was always supported by expressions of correspondent energy; and the decisive terms in which he delivered his opinions, by precluding the possibility of evasion, impressed a full conviction of his sincerity, and gained regard even from the most inveterate opponent. The distinguishing characteristic of his arguments was profoundness; his general aim was the establishment of some grand principle, to which all the other parts of his speech were subservient; and his genius for reply was singularly happy. He not only combated the principal reasonings of his adversaries, but, extending a generous protection to his own partizans, rescued their speeches from ridicule or misrepresentation. The boldest conceptions, and most decided principles uttered by him, did not appear gigantic; he seldom employed exaggerated or tumid phraseology; and, in the greatest warmth of political contest, few expressions escaped him which can be cited to the disadvantage of his character as a gentleman. Rhetorical embellishments, though frequently found in his harangues, did not seem the produce of laborious cultivation, but spontaneous effusions. Superior to art, Fox seemed to illustrate rules which perhaps he had not in contemplation; and the bold originality of his thoughts and expressions would rather entitle him to be considered the founder of a new style of eloquence, than a servile adherent to any established practice. Burke, studious and indefatigable, from his continually augmenting stores, poured

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knowledge into the mind of Fox ; but in debate their manners were widely dissimilar : Fox depended on his natural and daily improving genius for argumentation ; Burke on those beauties which his taste and learning enabled him to collect and dispose with so much grace and facility ; his speeches were listened to with admiration as vehement and powerful pleadings ; but Fox was always elevated above his subject, and, by energy of manner, and impetuosity of oratory, staggered the impartial, animated his adherents, and threw uneasiness, alarm, and astonishment into the minds of his opponents.

Such were the principal men to whom the discussion of the grand question relative to the rights and authority of Great Britain over her colonies was committed ; who, by their conduct as ministers, or their exertions in support of, and opposition to, the measures of government, regulated the progress of this important contest\*.

\* In depicting these characters, my own judgment and recollection have been much assisted by private information. The eloquent Gibbon, in his usual masterly manner, has described this parliament in his *Memoirs*, published by Lord Sheffield, p. 146, " I assisted at the debates of a free assembly ; I listened to the attack and defence of eloquence and reason ; I had a near prospect of the characters, views, and passions of the first men of the age. The cause of Government was ably vindicated by Lord North, a statesman of spotless integrity, a consummate master of debate, who could wield, with equal dexterity, the arms of reason and of ridicule. He was seated on the treasury-bench between his attorney and solicitor-general, the two pillars of the law and state, *magis pares quam similes* ; and the minister might indulge in a short slumber, while he was upholden on either hand by the majestic sense of Thurlow, and the skilful eloquence of Wedderburne. From the adverse side of the house an ardent and powerful opposition was supported by the lively declamation of Barré ; the legal acuteness of Dunning ; the profuse and philosophic fancy of Burke ; and the argumentative vehemence of Fox, who, in the conduct of a party, approved himself equal to the conduct of an empire. By such men every operation of peace and war, every principle of justice or policy, every question of authority and freedom, was attacked and defended ; and the subject of the momentous contest was the union or separation of Great Britain and America." Many of the persons who were conspicuous in this parliament are ably described by Mr. Butler, in the two volumes of his *Reminiscences*.

## CHAPTER THE TWENTY-FIFTH.

1774—1775.

Meeting of Parliament.—King's speech.—Amendment moved.—Protest.—Seamen reduced.—Attempt to make arrangements through Dr. Franklin.—Papers laid before Parliament.—Lord Chatham's motion for removal of troops—negatived.—He moves for leave to bring in a bill for quieting the troubles in America.—Heads of the bill.—Opposed by Lord Sandwich—and the Duke of Grafton.—Supported by Lord Camden—and Lord Shelburne.—Personal altercations.—Intemperate speech of Lord Chatham.—Reply.—Petitions in favour of the Americans—referred to a committee.—Petition of Dr. Franklin and others—rejected.—Committee on American papers.—Motion for an address—carried.—Motion to recommit the address—negatived.—Conference.—Debate in the House of Lords.—Energetic speech of Lord Mansfield.—Personal altercation.—Motion carried.—Protests.—Augmentation of forces.—New England restraining bill.—Petitions.—Evidence.—Debate on the third reading.—Opposed in the House of Lords.—Amendment made—and withdrawn.—Bill for restraining other colonies.—Bounties to Ireland.—Intimacy between Lord Chatham and Dr. Franklin.—Another attempt at negotiation.—Lord North's conciliatory propositions.—Supported by Governor Pownall.—Embarrassment of the minister.—He is extricated by Sir Gilbert Elliott.—Resolution agreed to.—Burke's motion.—His speech.—Proposition—rejected.—Mr. Hartley's plan—negatived.—New York remonstrance—rejected.—Attempt to repeal the Quebec act.—Proceedings in both houses respecting the exclusion of strangers.—Alderman Sawbridge's annual motions.—Speech of Mr. Wilkes.—His motion relative to his own expulsion.—Other proceedings.—Prorogation.



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1774.  
29th Nov.  
Meeting of  
parliament.  
30th.  
King's  
speech.

THE House of Commons having re-elected Sir Fletcher Norton speaker, the King opened the session, by mentioning, with great concern, the continuing prevalence of a daring spirit of resistance to the laws, which in Massachusetts Bay had broken forth in fresh violences, of a very criminal nature, and was countenanced and encouraged in other colonies. Measures had been adopted to enforce the acts of last session for the protection of commerce, and re-establishment of peace, order, and good government. His Majesty declared his resolution to withstand every attempt to weaken or impair the supreme authority of the legislature over all his dominions, the maintenance of which he considered essential to the dignity, safety, and welfare of the empire.

Motion for  
an address.

An address, in conformity with the sentiments expressed in the speech, was moved by the Earl of Hillsborough, and seconded by the Earl of Buckinghamshire.

Amendment  
proposed.

The duke of Richmond proposed an amendment, requiring information, and promising, when it was afforded, to apply with the utmost zeal to such measures as would tend to secure the honour of the crown, the true dignity of the country, and the harmony and happiness of all his Majesty's dominions.

Lord Lyttelton said the question was no longer one of taxation, but whether we should renounce the benefits of the act of navigation, and lay our commerce open to the will of the factious Americans, who were struggling for a free and unlimited trade, independent of the mother-country; that if government should now, in the least degree, recede, America, instead of being subject, would soon give laws to Great Britain.

Lord Camden, on the other side, urged the inexpediency of coercive measures at this time: they might be effectual in the infancy of a settlement; but when, by commerce, the colonists had acquired power, and from the increase of numbers had derived strength, it was impolitic and dangerous to compel their submission to laws which would impose the least burthen or restraint on that trade by which alone they existed. The amendment was rejected\*, and the unusual mea-

Lords' protest.

sure of protesting against its rejection was adopted by nine peers, who "would not without inquiry and information commit themselves with the careless facility of a common address of compliment in declarations which might lead to measures, in the event fatal to the lives, property, and liberties of their fellow-subjects, and which might precipitate their country into the horrors of civil war."

In the House of Commons, the address was moved by Lord Beauchamp, and seconded by Mr. De Grey. An amendment, proposed by Lord John Cavendish, requiring a communication of the intelligence received from America, was resisted, on the ground, that, admitting the expediency of a reconciliation with the colonies, yet, as they had not offered terms, England could not be the first to submit. The address was carried by a majority, which proved the strength of the minister in the new parliament\*. But it is to be observed, that several members, who declared themselves not attached to either side, voted for the address, because they considered it a matter of course, while they held themselves perfectly free from any engagement to vote for future measures of which they might not approve. Mr. Fox vehemently censured the manner in which the galleries were cleared, as a mere trick to stifle inquiry and prevent debate. Had the public been admitted as usual, ministers must have been obliged to break that silence and unconcern which they now affected to hold.

Sufficient information had not yet arrived concerning the extent of American resistance: the letters hitherto received from the governors warranted indeed the observations in the King's speech, but contained neither facts nor inferences which could justify the ministry in stating to parliament the expectation of an armed opposition. The number of seamen was therefore reduced from twenty to sixteen thousand, and the land forces fixed at seventeen thousand five hundred and forty-seven effective men. These estimates, although not regularly opposed, did not pass without

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1774.

5th Dec.  
In the House  
of Commons.

Seamen  
reduced.

12th Dec.

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Fresh intelli-  
gence re-  
ceived.Attempt to  
make arrange-  
ments through  
Dr. Franklin.  
November.

December 24.

25th.

considerable debates, of which the state of America formed the principal subject. The minister acknowledging that the measures adopted by the last parliament had not been attended with their expected effect, promised the communication of papers, and that a committee should be formed to take into consideration the affairs of America.

Intelligence received during the recess, more unequivocally ascertained the disposition of the Americans, and included accounts of all their proceedings to the seizure of Fort William and Mary.

While Dr. Franklin remained in England, after what he terms "the affront that was given him at the "council-board," an effort was made to gain the advantage of his ability and influence in reconciling the people of America, and preventing further conflict. With some appearance of contrivance, but none of dexterity, he was introduced, for the purpose of playing at chess, to Mrs. Howe, sister to Lord Howe, and afterwards, through her, was induced to draw up, for the consideration of Mr. Barclay and Dr. Fothergill, two distinguished characters among the quakers, a set of proposals, the granting of which he supposed would produce a durable union between Great Britain and her colonies. They were seventeen in number; some sufficiently reasonable to be acceded to without hesitation, some of such a nature as to render a long continuance of union impossible, and others extremely arrogant and unfit even to be required. The petition of congress to the King was accompanied with instructions to the several agents for the colonies\*, after presenting it, to make the contents public through the press, together with the list of grievances. Just at this period, Dr. Franklin was introduced to Lord Howe, and mutual explanations took place. His lordship, declaring himself to be merely an independent member of parliament, neither attached to the ministry nor devoted to opposition, was anxious to obtain the influence of the Doctor, which would be more effectual

\* Namely, Paul Wentworth, Esq. Dr. Benjamin Franklin, William Bollen, Esq. Dr. Arthur Lee, Thomas Life, Esq. Edmund Burke, Esq. and Charles Garth, Esq.

than that of any other man toward composing differences and producing reconciliation. Franklin professed a sincere desire to heal the breach between the two countries, but expressed an apprehension, from the King's speech and the measures said to be in agitation, that no desire of accommodation existed in the present ministry. It was afterward explained to him, both by Lord Howe and Governor Pownall, that Lord North and Lord Dartmouth did not approve of the measures pursued, and entertained an earnest desire to accommodate differences, and listen favourably to any propositions that might have a probable tendency to produce that effect. Lord Howe suggested a mission to America, for the purpose of inquiring into grievances, conversing with the leading people, and endeavouring to agree with them on means of composing differences; and was answered, that a person of rank and dignity, who had a character for candour, integrity, and wisdom, might be of great use. The sequel was that which from the beginning might have been expected. The very reasonable proposition, that the people of Boston should make compensation for the destruction of the tea, was resisted on the ground that, Parliament having no right to tax the people of America, all that had been extorted from them by the operation of the duty acts with the assistance of an armed force, preceding the destruction of the tea, was so much injury, which ought, in order of time, to be first repaired; it was not, therefore, likely that the Americans would pay, in the first place, the value demanded, especially as twice as much injury had since been done them by blocking up the port; and their castle, which was also seized before by the crown, had not been restored to them, nor any satisfaction offered.

Such pretensions afforded no hope of an amicable arrangement: it is not easy to imagine that a man indued with Franklin's sagacity expected it. To place speculative wrong in the balance against actual violence and depredation, to assert a right paramount to that of the Crown over the fortresses of a province, displayed

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1775.

19th Jan.  
Papers laid  
before Par-  
liament.20th Jan.  
Lord Chat-  
ham's mo-  
tion for re-  
moval of  
troops.

no signs of a disposition toward conciliation. The American agent was, doubtless, too well acquainted with the temper of his constituents to suppose that they intended anything but insult and defiance. In this position the discussion remained when Parliament re-assembled after the recess\*.

Lord North took the earliest opportunity of laying before Parliament numerous papers from all the colonies†, containing letters, proclamations, narratives of proceedings, and other interesting documents, together with sentiments of governors and other public men, on the state of affairs. These were submitted to a committee.

Animated by strong feelings, and fortified by much preparation, Lord Chatham moved an address, advising and beseeching the King to allay the unhappy ferment and animosities in America, by removing the troops from Boston as soon as the rigour of the season and other circumstances might permit. In his speech, he censured the delay of communication, accused the ministry of deluding the people by false representations, and recommended instant efforts to effect a reconciliation before the meeting of the delegates. He was anxious not to lose a day, since the loss even of an hour might produce years of calamity. "Nothing," he said, "but being nailed to my bed by the extremity of sickness, shall prevent me from paying unremitted attention to so important a sub-

\* This narrative, and some facts hereafter mentioned, are derived from the Memoirs of Dr. Franklin, where, with minuteness and particularity, they are given in his own words, and occupy sixty quarto pages, vol. i. p. 223 to 283. In Mr. Jefferson's Memoirs, an attempt is made to cast some doubt on the authenticity of this relation; the MS. having, as he says, been presented to him as a donation by Dr. Franklin, when in a dying state, and afterwards given to Mr. William Temple Franklin, the editor and compiler of his relative's Memoirs and works. Mr. Jefferson seems to have suspected that the paper would be altogether suppressed, or much mutilated; but in this he appears to have been no more correct than in the assertion made, from supposed memory, that Lord North's answers were dry, unyielding, in the spirit of unconditional submission, and betrayed an absolute indifference to the occurrence of a rupture; and that he said to the mediators distinctly, at last, that a rebellion was not to be deprecated on the part of Great Britain; that the confiscations it would produce would provide for many of their friends. Jefferson's Memoirs, vol. i. p. 94. It is hardly necessary to say that this assertion is no more consistent with the character of Lord North than with the narrative of Franklin.

† There were at first no letters from Maryland; but the deficiency was afterward supplied.

ject. I will knock at the door of this sleeping and confounded ministry, and rouse them to a sense of their imminent danger. When I state the importance of the colonies, and the magnitude of the danger hanging over this country, from the present plan of mis-administration, I desire not to be understood to argue a reciprocity of indulgence between England and America. I contend not for indulgence, but justice, to America; and I shall ever contend, that the Americans justly owe obedience to us in a limited degree:—they owe obedience to our ordinances of trade and navigation; but let the line be skilfully drawn between the objects of those ordinances, and their private internal property; let the sacredness of their property remain inviolate; let it be taxed only by their own consent, given in their provincial assemblies;—else it will cease to be property.—As to the metaphysical refinements, attempting to shew that the Americans are equally free from obedience and commercial restraints, as from taxation for revenue, as being unrepresented here; I pronounce them futile, frivolous, and groundless. Resistance to your acts was necessary as it was just; and your vain declarations of the omnipotence of Parliament, and your imperious doctrines of the necessity of submission, will be found equally impotent to convince or enslave your fellow-subjects in America, who feel that tyranny, whether ambitioned by an individual part of the legislature, or the bodies who compose it, is equally intolerable to British subjects. The means of enforcing this thralldom are found to be as ridiculous and weak in practice, as they are unjust in principle. Indeed, I cannot but feel the most anxious sensibility for the situation of General Gage and the troops under his command; thinking him, as I do, a man of humanity and understanding; and entertaining, as I ever will, the highest respect, the warmest love, for the British troops. Their situation is truly unworthy; penned up—pining in inglorious inactivity; they are an army of impotence:

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“ you may call them an army of safety and of guard ;  
 “ but they are, in truth, an army of impotence and  
 “ contempt : and, to make the folly equal to the dis-  
 “ grace, they are an army of irritation and vexation.  
 “ I mean not to censure their inactivity ; however  
 “ contemptible, it cannot be blamed, for the first drop  
 “ of blood shed in civil and unnatural war may be  
 “ ‘ *immedicabile vulnus*. ’ Adopt the grace while you  
 “ have the opportunity of reconciliation : or at least  
 “ prepare the way. Allay the ferment prevailing in  
 “ America, by removing the obnoxious hostile cause :  
 “ obnoxious and unserviceable ; for their merit can only  
 “ be in inaction ; ‘ *Non dimicare est vincere*, ’ their victory  
 “ can never be by exertions. Their force would be most  
 “ disproportionately exerted against a brave, generous,  
 “ and united people, with arms in their hands and  
 “ courage in their hearts :—three millions of people,  
 “ the genuine descendants of a valiant and pious an-  
 “ cestry, driven to those deserts by the narrow maxims  
 “ of a superstitious tyranny.—And is the spirit of per-  
 “ secution never to be appeased ? Are the brave sons  
 “ of those brave forefathers to inherit their sufferings  
 “ as they have inherited their virtues ? Are they to sus-  
 “ tain the infliction of the most oppressive and unex-  
 “ ampled severity—beyond the accounts of history, or  
 “ description of poetry ?—‘ *Rhadamanthus habet duris-  
 “ sima regna, castigatque, auditque* : ’ so says the wisest  
 “ poet, and perhaps the wisest statesman and politician  
 “ of antiquity :—but our ministers say, the Americans  
 “ must not be heard. They have been condemned un-  
 “ heard ; the indiscriminating hand of vengeance has  
 “ lumped together innocent and guilty ; with all the  
 “ formality of hostility, has blocked up the town, and  
 “ reduced to beggary and famine thirty thousand in-  
 “ habitants.” Some years ago, when the repeal of the  
 stamp-act was in agitation, a person of undoubted  
 respect and authenticity had said to him, with a cer-  
 tainty derived from judgment and opportunity, “ You  
 “ may destroy their towns, and cut them off from the  
 “ superfluities and perhaps the conveniencies of life ;

“ but they are prepared to despise your power, and will  
“ not lament their loss, while they have their woods  
“ and their liberty\*.”

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He extolled the Congress, as more wise and more prudent than the meeting of ancient Greece: Thucydides recorded nothing more honourable, more respectable, than that despised convention: their proceedings were remarkable for firmness, temper, and moderation, and it would be happy for Great Britain, if the House of Commons were as freely and uncorruptly chosen. “ Ministers may satisfy themselves, and delude the public with the report of what they call commercial bodies in America.—They are not commercial:—they are your packers and factors; they live upon nothing—for I call commission nothing;—I mean the ministerial authority for this American intelligence; the runners for government who are paid for their intelligence. But these are not the men, nor this the influence, to be considered in America, when we estimate the firmness of their union. Trade indeed increases the glory and wealth of a country; but its real wealth and stamina are to be looked for among the cultivators of the land; in their simplicity of life is found the simpleness of virtue, the integrity and courage of freedom. These true genuine sons of the earth are invincible; they surround and hem in the mercantile bodies, and, if it were proposed to desert the cause of liberty, would virtuously exclaim; ‘ If trade and slavery are companions, we quit trade; let trade and slavery seek other shores, they are not for us!’ This resistance to your arbitrary system of taxation might have been foreseen: it was obvious from the nature of things, and of mankind, and, above all, from the whiggish spirit flourishing in that country. The spirit which now resists your taxation in America, is the same which formerly opposed loans, benevolences, and ship-money in England. The same spirit which called all England on its legs,

\* This sentiment his lordship is supposed to have derived from Dr. Franklin, who, by his express desire and through his personal introduction, was present at the debate.—Lord Chatham's Correspondence, vol. iv. p. 372—376.



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“ and by the bill of rights vindicated the English constitution—the same principle which established the great, fundamental, essential maxim of our liberties, that no subject of England shall be taxed but by his own consent—this glorious spirit of whiggism animates three millions in America, who prefer poverty with liberty, to gilded chains and sordid affluence; and who will die in defence of their rights as men—as freemen. The cause of America is allied to every true whig:—the whole Irish nation, all the true English whigs, the whole people of America combined, would amount to many millions of whigs averse to the system. To such united force, what force shall be opposed?—What, my lords?—A few regiments in America, and seventeen or eighteen thousand men at home! The idea is too ridiculous to take up a moment of your lordships’ time. Nor can such a rational and principled union be resisted by tricks of office, or ministerial manœuvre. Laying of papers on your table, or counting noses on a division, will not avert or postpone the hour of danger:—it must arrive, unless these fatal acts are done away. It must arrive, in all its horrors! and then these boastful ministers, ’spite of all their confidence, and all their manœuvres, shall be forced to hide their heads! They shall be forced to a disgraceful abandonment of their present measures and principles:—principles which they avow, but cannot defend;—measures which they presume to attempt, but cannot hope to effectuate. They cannot stir a step; they have not a move left;—they are checkmated. It is not repealing this or that act of parliament—it is not repealing a piece of parchment—that can restore America to our bosom:—you must repeal her fears and her resentments; and may then hope for her love and gratitude. But now insulted by an armed force at Boston, irritated with a hostile array before her eyes, her concessions, if they could be forced, would be suspicious and insecure; they will be, *irato animo*, not sound honourable pactions of freemen; but dictates of fear, and extortions of force.

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" It is, however, more than evident you cannot force them, principled and united as they are, to your unworthy terms of submission; it is impossible!—and when I hear General Gage censured for inactivity, I must retort with indignation on those whose intemperate measures and improvident counsels have betrayed him into his present situation. His situation reminds me of the answer of a French general in the civil wars of France.—Monsieur Condé, opposed to Monsieur Turenne, was asked how it happened that he did not take his adversary prisoner, as he was often very near him? '*J'ai peur*,' replied Condé very honestly, '*J'ai peur qu'il ne me prenne*;' 'I am afraid he will take me.'

" We shall be forced ultimately to retract;—let us retract while we can, not when we must. These violent oppressive acts must be repealed—you will repeal them—I pledge myself for it that you will in the end repeal them—I stake my reputation on it!—I will consent to be taken for an idiot, if they are not finally repealed!—Avoid then this humiliating, disgraceful necessity. With a dignity becoming your exalted situation, make the first advances to concord, to peace, and to happiness; for *that* is your true dignity, to act with prudence and with justice. That you should first concede is obvious, from sound and rational policy. Concession comes with better grace and more salutary effect from the superior power; it reconciles superiority of power with the feelings of men: and establishes solid confidence on the foundations of affection and gratitude. So thought a wise poet, and a wise man in political sagacity; the friend of Mæcenæ, and the eulogist of Augustus: to him, the adopted son of the first Cæsar, to him, the master of the world, he wisely urged this conduct of prudence and dignity:

" '*Tuque prior, tu parce; genus qui ducis Olympo;*  
" '*Projice tela manu.*'"

" On the other hand, every danger impends to deter you from perseverance in the present ruinous mea-

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“sures. Foreign war hanging over your heads by a slight and brittle thread; France and Spain watching your conduct, and waiting for the maturity of your errors. If the ministers thus persevere in misadvising and misleading the King, I will not say they can alienate the affections of his subjects from the crown, but I will affirm they will make the crown not worth his wearing. I will not say, the King is betrayed; but I will pronounce the kingdom undone\*.”

Supported.

Lord Chatham's motion was supported by the Duke of Richmond, the Marquis of Rockingham, Lords Shelburne and Camden. They insisted that the assertion of the omnipotence of Parliament was an abstract metaphysical question, purposely introduced into the discussion of American affairs to delude alike the Parliament and people: the very lowest mechanic was inflated with his own importance, as a party in a contest with traitors, vagabonds, and base ungrateful rebels. But, whatever stress might be laid on the legislative supremacy of Great Britain (and the doctrine was just when properly directed), it was no less true, and consonant to the reasonings of all speculative writers on government, that no man, on the true principles of natural or civil liberty, could, without his own consent, be divested of any part of his property. The question was not, in fact, referred to the people or Parliament, because an administration consisting of four or five persons, and those again guided by one man, held an absolute sway over Parliament; between the ministry, therefore, and all America, was the issue depending. The acts of last session were analysed, and declared highly unconstitutional; and Lord Camden quoted Selden and Blackstone, to prove, that although the various circumstances and incidents which might justify resistance could not be exactly defined, the people at large, possessing the original rights necessary to their

\* This speech is taken from Debrett's Debates, corrected and assisted by a report by Hugh Boyd; the History of Lord North's Administration, p. 187; and the Annual Register for the year 1775, p. 47.

own happiness and preservation, had a right to recall a delegated power and authority, whenever abused to their own ruin and destruction.

The motion was opposed by the Earls of Suffolk, Rochford, and Gower; Viscounts Townshend and Weymouth; and Lord Lyttelton.

They traversed Lord Chatham's statements and his encomiums on the Congress, who in their proceedings and resolutions breathed the spirit of independence and rebellion. The British Parliament possessed an indubitable legislative supremacy; an inactive right was absurd; if right existed, it must be asserted, or for ever relinquished. The difficulties of the moment would be infinitely augmented by the lapse of a few years: and disobedience to Parliament, once connived at, would invalidate every claim to dominion over America. The obnoxious acts were specifically defended; the Boston port act would, but for the obstinacy of the people, have executed itself, and, by causing the indemnification of the East India Company, have re-established the port, and facilitated a complete reconciliation. The resolutions of Congress against these acts, demonstrated that the views of the Americans extended beyond the professed limits of a redress of grievances, even to the overthrow of the act of navigation, that great palladium of British commerce. The question was not limited to revenue: but in its determination would decide whether that great commercial system on which the strength and prosperity of Great Britain and the mutual interests of both countries vitally depended, should be destroyed to gratify the foolishly ambitious temper of a turbulent and ungrateful people. The parent state should never relax, till her supremacy was acknowledged; but dutiful compliance would be attended with every indulgence consistent with the real interest of both countries; previous concession would be impolitic, pusillanimous, and absurd. It was a duty incumbent on administration to pursue their object of subduing the rebellious Americans; and the Earl of Suffolk, Secretary of State, explicitly avowed the ministerial

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Opposed.

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Negatived.  
1st Feb.  
Lord Chat-  
ham brings  
in a bill.

resolution of enforcing obedience by arms, acknowledging with pride that he had advised coercive measures, from a conviction of their necessity. All inquiry into the state of the troops at Boston and the conduct of General Gage was deprecated, from the impossibility of forming a judgment at so great a distance, and from such slender materials as Parliament possessed. The motion was negatived\*.

In the course of the debate, an observation was made on the facility with which the measures of ministers were censured by those who proposed nothing better. In answer, Lord Chatham said he had framed a plan of adjustment, solid, honourable, and permanent; and he took the earliest occasion to present it under the form of "A provisional act for settling the troubles in America; and for asserting the supreme legislative authority and superintending power of Great Britain over the colonies." His introductory speech was short; urging the necessity of an immediate effort at conciliation. Great Britain and America, he said, were drawn up in martial array, waiting for the signal to engage in a contest, in which it was little matter for whom victory declared, as ruin and destruction must be the inevitable consequence to both. He wished to act the part of mediator; but no desire for popularity, no predilection for his own country, not his high esteem for America on one hand, nor his unalterable steady regard for Great Britain on the other, should influence his conduct. He loved the Americans, as men prizing and setting the just value on that inestimable blessing, liberty; but were he once persuaded that they entertained the most distant intention of rejecting the legislative supremacy, and the general, constitutional, superintending authority and controul of the British legislature, he would be the first and most zealous mover for exerting the whole force of Britain in securing and

\* Contents 18—Non-contents 68. The division was remarkable by the appearance of the Duke of Cumberland in the minority. Lord Chatham's preparation for this effort, its progress and effect, are displayed in his Correspondence, vol. iv. p. 369 to 386.

enforcing that power. He entreated the assistance of the House in digesting his crude materials, and in adapting them to the dignity and importance of the subject, and their great ultimate ends.

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The bill affirmed that the colonies of America were of right dependent on the imperial crown of Great Britain and Ireland, and that Parliament had full power to bind America in all matters relating to the general weal of the whole dominion of the imperial crown, beyond the local competency of distinct colonial representative bodies, and particularly in the regulation of navigation and trade; and that all subjects in the colonies were bound in duty and allegiance duly to recognize and obey the supreme legislative authority and superintending power of Parliament. To quiet groundless jealousies and fears respecting a standing army, without derogating from the legislative, constitutional, and hitherto unquestioned prerogative of the Crown, it was declared that no military force, however raised and maintained according to law, could be lawfully employed to violate and destroy the just rights of the people. By the clause respecting taxation, no tallage, tax, or charge for the king's revenue, was to be levied in America, without legal consent of the provincial assemblies. The delegates to the late general Congress were again to meet in May, and consider on a due recognition of the supreme legislative authority, and superintending power of Parliament; and of a free grant of a certain perpetual revenue, to be disposed of by Parliament in alleviation of the national debt, which had, in no inconsiderable part, been incurred for the extension, defence, and prosperity of the colonies. This free grant was to be adjusted and apportioned by the delegates to Congress, they being duly authorized and empowered by their respective provinces; they were, as an indispensable condition, before these acts should have any force, fully to recognize the supreme legislative authority and superintending power of Parliament; but it was not to be understood as a condition of redress, but as a just testimony of affection. The prayer of the petition of Congress

Heads of the  
intended  
bill.

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was then to be granted by restrictions on the admiralty jurisdiction; a restoration of the trial by jury, where abolished, in civil cases; a renunciation of the power of removing persons indicted for murder to other provinces, or to Great Britain for trial; and a repeal of all the acts relating to America, from the fourth year of the King to those of the last session, including the Quebec act, and that for quartering soldiers. The judges were to hold their offices, with salaries from the Crown, as in England, during good behaviour; and the colonial charters were confirmed, and declared exempt from invasion or resumption, except for misuser, or some legal grounds of forfeiture. The bill concluded with these words; "So shall true reconciliation avert impending calamities, and this most solemn national accord between Great Britain and her colonies stand an everlasting monument of clemency and magnanimity in the benignant father of his people; of wisdom and moderation in this great nation, famed for humanity as for valour; and of fidelity and grateful affection from brave and loyal colonies to their parent kingdom, which will ever protect and cherish them." Nor was this florid style confined to this paragraph; it pervaded the whole bill.

Debate.  
Proposal of  
Lord Dartmouth.

An animated debate ensued. The Earl of Dartmouth, secretary of State for America, expressed a wish that the bill might lie on the table, to be taken into consideration after the adoption of some resolutions relative to the papers already communicated.

Opposition  
of Lord  
Sandwich.

This apparent moderation was highly displeasing to Lord Sandwich, who, after the bill had been read a first time, insisted that any concession was an abandonment of the cause of government. The Americans had formed the most hostile and traitorous designs, and were guilty of actual rebellion in seizing the King's forts and ammunition, with an avowed intention of employing them against him. The mode of introducing the bill was unparliamentary and unprecedented. The stale pretence of preserving our commercial interests by concessions was a device which could impose on none but those who were wilfully

blind, and resolved to contradict the plainest evidence of facts; the Americans were not disputing about words, but realities; their aim was to be freed from commercial restrictions; they courted the trade of other nations, and he had in his pocket letters which would undeniably prove that ships were then lading at L'Orient, Havre-de-Grace, and Amsterdam, with East India and European commodities for America. He therefore moved the immediate rejection of the bill.

He was supported by the Duke of Grafton, Earl Gower, and the Earl of Hillsborough. The Duke of Grafton particularly denounced the unparliamentary manner of hurrying the bill into the house; he had had the honour of sitting there longer than the noble earl, and remembered no similar instance. So great a variety of subjects should not have been combined, but distinctly discussed. Other opponents of the bill contended that it was calculated to gratify the Americans in every particular, but offered no security for concession on their part. It sanctified and legalized the late congress, and warranted another assembly of the same description. The acts of parliament proposed to be repealed were successfully defended, particularly the Quebec act, which was peculiarly extolled for moderation, justice, and policy.

The bill was supported by the Duke of Richmond, Earl of Shelburne, and Lord Camden. Lord Shelburne described a ruined commerce, starving manufacturers, increased taxes, heavy poor's-rates, rents fallen, an exhausted exchequer, and a diminished revenue, as inevitable consequences of the measures pursued by administration. Famine must also necessarily ensue, from the discontinuance of the vast supply of bread-corn derived from America. In that case, all the military force of the kingdom would be requisite to keep the people in due restraint, as was fully demonstrated during the scarcity in 1766. The ministry were generally challenged to discuss the principles of the bill, although an immediate decision was professedly not required. The laws proposed to be repealed were analysed with great severity, particularly those of

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Opposition  
of other  
Lords:  
The Duke of  
Grafton.

Bill supported.



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last session. Nor was the probability of foreign interference omitted; and the ministry were particularly cautioned by Lord Shelburne against trusting to the assurances of their inveterate enemies.

A more moderate party, consisting of the Duke of Manchester, Earl Temple, and Lord Lyttelton, disapproved many parts of the bill, but deprecated its sudden rejection, as an unnecessary insult to an exalted character. Lord Temple attributed all the evils and distractions to the fatal repeal of the stamp act; and the laws of the last session were more exceptionable in mode than matter. Lord Lyttelton voted against the rejection of the bill, yet differed in many respects from Lord Chatham, particularly on the subject of the Quebec act, against the repeal of which he strenuously contended.

Personal  
altercation.

In the course of the debate much personal altercation arose. The Duke of Richmond animadverted with great severity on Lord Gower; and Lord Chatham, in arguing Lord Sandwich's motion, uttered a tremendous philippic against the whole administration.

Intemperate  
speech of  
Lord Chat-  
ham.

He began with his quondam colleague in office, and very humble servant, the Duke of Grafton, on whose logic he descanted with great severity. Could he be more justly charged with hurrying the business into the house, or his grace with hurrying it out? America was declared in rebellion; eleven days had elapsed since his last motion, and no measure had yet been proposed by any of the King's servants. "Even now," he said, "if they will assure me they have a plan to offer, I will give them a proof of candour they do not deserve, by instantly withdrawing my bill." The indecent attempt to stifle the measure in embryo would not sink it in oblivion; it would make its way to the public, to the nation, to the remotest wilds of America; it would be coolly investigated, and appreciated by its merits or demerits alone. "I am not astonished," he continued, "that men who hate, should detest those who prize liberty; or that those who want, should persecute those who possess virtue. I could demonstrate, were I so disposed, that the whole of your

“ political conduct has been one continued series of  
 “ weakness, temerity, despotism, ignorance, futility,  
 “ negligence, blundering, and the most notorious ser-  
 “ vility, incapacity, and corruption. On reconsidera-  
 “ tion, I must allow you one merit, a strict attention to  
 “ your own interests: in that view you appear sound  
 “ statesmen, and able politicians. You well know, if  
 “ the present measure should prevail, you must in-  
 “ stantly relinquish your places. I doubt much whe-  
 “ ther you will be able to keep them on any terms:  
 “ but sure I am, such are your well-known characters  
 “ and abilities, that any plan of reconciliation, how-  
 “ ever moderate, wise, and feasible, must fail in your  
 “ hands. Who then can wonder that you should  
 “ negative any measure, which must annihilate your  
 “ power, deprive you of your emoluments, and at  
 “ once reduce you to that state of insignificance for  
 “ which God and nature designed you.”

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The Earls of Gower and Hillsborough warmly reprobated these intemperate animadversions, as the result of a factious design to embarrass government and obtain undue popularity; great industry would doubtless be employed in circulating the bill, and inflaming the public mind, both in England and America. To talk of three millions of Americans in arms was a gross exaggeration; the whole population did not exceed that amount: one third, at least, would submit; and, deducting from the remainder, the aged, the infants, and the females, his lordship's facts would be found no more correct than his arguments. It would be sufficiently early to answer general charges when so pointed as to call for defence or explanation: but Lord Gower observed, the persons censured only shared the fate of all other administrations he ever remembered; Lord Chatham having uniformly condemned, though he afterwards acted with them; and, if his age did not form an impediment, he would probably give, on the present occasion, one more proof of versatility, by loudly eulogizing the measures he now so loudly condemned.

Reply of  
ministers.

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23rd Jan.  
to 26th.  
Petitions in  
favour of the  
Americans.

Lord Sandwich's motion was carried; and that for bringing in the bill rejected\*.

Meanwhile, the papers submitted to the House of Commons were referred to a committee, and numerous petitions offered on American affairs from great mercantile cities and towns†, praying Parliament to desist from those proceedings which occasioned the American association so prejudicial to commerce.

On the first petition from the merchants of London, presented by Alderman Harley, a strenuous debate arose on a proposition to refer it to a committee on the twentieth-seventh of January, the day after that appointed for considering the papers. Much acrimony was displayed in arraigning the conduct of ministers, and much ridicule thrown on the proposed committee, which Mr. Burke humorously termed a *Coventry* committee, and a committee of oblivion. The question was, however, carried‡, and all the ensuing petitions, together with one from Birmingham of a contrary tendency§, were submitted to the same com-

\* 61 to 32. On the subject of this measure, Mr. Jefferson says, "When I saw Lord Chatham's bill, I entertained high hope that a reconciliation could have been brought about. The difference between his terms and those offered by our congress might have been accommodated if entered on by both parties with a disposition to accommodate. But the dignity of Parliament, it seems, can brook no opposition to its power. Strange! that a set of men, who have made sale of their virtue to the minister, should yet talk of retaining dignity." Jefferson's Correspondence, vol. i, p. 149. With such sentiments in the mind of a man, aged thirty-one, who might be looked to as one of the most rising characters in the colonies, little hope of accommodation could be entertained. But if the ardour of Mr. Jefferson's youth should cause his opinions to be considered less than a fair specimen, those of the mature and sagacious Dr. Franklin, who had been consulted by Lord Chatham, and perused the draft of his bill, will be deemed more capable of influencing his countrymen. He objected to almost every proposition; and, on the rejection of the bill, expresses his contempt of the house by saying, "Hereditary legislators! there would be more propriety, because less hazard of mischief, in having (as in some University in Germany) hereditary professors of mathematics. But the elected House of Commons is no better, nor ever will be, while the electors receive money for their votes, and pay money wherewith ministers may bribe their representatives when chosen." Franklin's Memoirs, vol. i, p. 257 to 260.

† The American merchants in London presented two; Bristol the same number: Glasgow, Norwich, Liverpool, Manchester, Birmingham, Wolverhampton, Dudley, and several other places in Great Britain and Ireland, sent petitions, as did various bodies of merchants interested in the great objects of dispute.

‡ 197 to 81.

§ It was insisted by opposition that this counter-petition was unfairly obtained by ministerial influence, and not signed by persons really interested in the American trade.

mittee. The merchants of London, displeased by this reference, withdrew their petitions, declaring themselves under no apprehensions respecting their American debts, unless the means of remittance should be cut off by measures adopted in Great Britain.

Dr. Franklin and Messrs. Bollan and Lee, who were authorized by the continental congress to present their petition to the King, also prayed to be examined at the bar, in support of that paper which they were enabled to elucidate. In debating this request, it was insisted, on one side, that compliance would lead to inextricable confusion, and destroy the whole colonial government. It would explicitly sanction the Congress, which was not a legal meeting, and recognize the parties making the application, who were not, in fact, legally appointed. On the other, it was contended that the Congress, however illegal for other purposes, were fully competent to this: the petition was signed by the members: it might be received as from them in their individual capacity; and the equity of the house should rather lead to the adoption of plausible reasons for receiving, than the invention of pretences for rejecting, such papers; the practice of dismissing petitions and declining the examination of agents would establish an opinion, that those who refused to hear complaints, abdicated the rights of government, and thus naturally lead to universal rebellion. The introduction of the petition was not permitted\*. On all these occasions, animated and eloquent speeches were made in both houses; but they were merely repetitions of declamations often heard before, prophecies which many construed into wishes, anticipations of resistance which were viewed as suggestions, assertions of right often before advanced and discussed, enlivened with personalities and pleasantries which irritated and amused only for the moment.

In a committee of the whole house, on the papers from America, Lord North re-argued the customary topics of parliamentary supremacy, the propriety of American contribution, and lightness of the taxes hitherto imposed, which did not amount to more than

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25th and  
26th Jan.  
Petition of  
Dr. Franklin  
and others.

Rejected.

2nd Feb.  
Committee  
on the American  
papers.

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Motion for an  
address.

sixpence a year on each individual. Then denouncing the confederacy against importation as the cause of the present separation, he unfolded his plan of coercion, which was, to send to America a large military force, and, by a temporary act, to stop the foreign commerce of New England, and their fishery on the banks of Newfoundland, until they returned to their duty; whenever that took place, their real grievances should, on proper application, be redressed. His motion was for an address, thanking the King for the communication of papers; affirming the province of Massachusetts Bay to be in rebellion; declaring the resolution of the house not to relinquish any part of the sovereign authority, vested by law in his Majesty and the two houses, over every branch of the empire; and professing their constant readiness to pay attention to the grievances of the subject, when presented in a dutiful and constitutional manner. The King was requested to take effectual measures for enforcing obedience to the laws and authority of the supreme legislature, and in the most solemn manner assured of their fixed resolution, at the hazard of their lives and property, to support him against all rebellious attempts, in the maintenance of his just rights and those of the two houses.

Amendment  
moved.

The debate, though spirited and vehement, afforded little novelty; and no other interest than appertained to the importance of the subject. Mr. Fox moved an amendment, censuring the ministry for having rather inflamed than healed differences, and praying for their removal. He expatiated on the injustice, inexpediency, and folly of the motion, prophesying defeat in America, ruin and punishment at home.

Mr. Dunning denied the existence of rebellion; but was fully answered by Mr. Thurlow. The character of the Americans, their religious enthusiasm, and inaptitude for arms, were discussed with more vehemence than judgment. Captain Luttrell pointed out the evils and inconveniences resulting from a war with the colonies; discussed at large the probability of foreign interference; and, in speaking of inefficiency of arms in such a cause, concluded with this re-

mark: "The Americans feel, as a consolation, that every ship and every regiment sent to Boston, adds strength to their cause; for without much pretension to prophesy, I may foretel, that the history of these dissensions will be similar to that of the troubles in Ireland in the reign of Elizabeth. That queen, impatient to subdue the Irish, employed a large army, but the rebels daily gathered strength; Elizabeth demanding the cause, was answered, that the army there was the true reason; for their money had found its way into the country, and enabled her opponents, not only to purchase ammunition and warlike stores, but even to hire foreign officers." The amendment was negatived\*.

On the presentation of the report, Lord John Cavendish moved to recommit the address; in the debate, in which the existence of rebellion and the policy of declaring it were amply discussed, Mr. Wilkes would not pretend to decide on the state of Massachusetts Bay; a fit and proper resistance was a *revolution*, not a *rebellion*. "Who can tell," he said, "whether, in consequence of this very day's violent and mad address, the scabbard may not be thrown away by them as well as by us, and, should success attend them, whether, in a few years, the Americans may not celebrate the glorious era of the revolution of 1775, as we do that of 1688? Success crowned the generous effort of our forefathers for freedom, else they had died on the scaffold as traitors and rebels, and the period of our history, which does us the most honour, would have been deemed a rebellion against lawful authority; not a resistance sanctioned by all the laws of God and man, and the expulsion of a tyrant."

8th Feb.  
Motion to  
recommit the  
address.

In answer to these observations, it was said, the present important crisis (and one more intricate had not occurred since the revolution) was not more to be attributed to the refractory spirit of ungrateful subjects on the other side of the Atlantic, than to some no less restless on this; and as a great minister had once boasted of having conquered America in Germany,

\* There were two divisions: on the amendment, the numbers were 304 to 105; on the original motion, 296 to 106.

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so it would now be necessary to conquer it wholly or partially in England: for till restraint could be imposed on the sedition so constantly, artfully, and shamefully circulated from hence, and a check given to those incendiaries who breathed forth the inflammatory poison conveyed in every newspaper, we could never hope, without the last extremities, to bring the wicked leaders of those deluded people to a sense of their duty and obligations. Their proceedings, and the papers before the house, evidently proved they were ungratefully aspiring to be independent; a future age might possibly witness the accomplishment of their design; but it was the duty of Englishmen, by vigilance, to prevent the anticipation of that evil day; remissness or want of firmness would leave an everlasting stain on the present age. The declarations of Congress were traced to the real sources, and their arrogance in prohibiting British commodities was exposed to deserved censure. "To all nations with whom we are not actually at war," Sir William Mayne observed, "we can transport our commodities with safety; but it is only on the inhospitable continent of America that British manufactures, the produce of British industry, cannot find an asylum."

Irresolution  
of the minis-  
ter.

Lord North, who had before shewn some irresolution and doubt relative to the measures of coercion, by stating a willingness to repeal the tax on tea, if that concession would satisfy the Americans, now displayed still greater hesitation. He disclaimed the taxation of America as an act of his administration, and traced it to the Duke of Grafton: adding, that the quarrel would be terminated, if the constitutional right of supremacy were conceded to Great Britain. The motion for recommitment was negatived\*.

7th Feb.  
Conference.  
Debate in  
the House  
of Lords.

A conference having been held on the address, the Earl of Dartmouth moved for the concurrence of the lords: the Marquis of Rockingham, at the same time, presented petitions from the American merchants in London, and from the West India planters; and the previous question was demanded on the Earl of Dartmouth's motion.

Lord Mansfield, in a long and able speech, descanted on the arrogance of the American claims, demonstrated the futility of the reasonings used to impose a belief that the colonists contended for an exemption from taxation only, and animadverted on Lord Chatham's declaration in a former debate, that in return for a temporary suspension, and ultimate repeal of the obnoxious acts, America must unequivocally admit the supreme legislative controuling power of Parliament in every case except that of taxation. The Congress, he remarked, avoided every declaration, equivocal or unequivocal; for all they promised was submission to the act of navigation, while they boldly contended for the repeal of every law from which that act could derive force or effect. He minutely analysed the declarations of Congress, and the acts of parliament of which they complained, proving, that to annul any, except the tax laws, would be a complete renunciation of sovereignty. On the petitions he observed, that undoubtedly every class of people would feel severely the effects of war, while none could answer for its events; the British forces might be defeated, the Americans might prevail, and Great Britain be stripped for ever of the sovereignty; but the question was, whether the right of the mother-country should be resolutely asserted, or at once relinquished. He argued, from the documents before the house, that the colonies were in a state of rebellion, and, while he doubted the expediency of taxation, deprecated the consideration of the question in that view, till the right should be fully asserted and acknowledged. He condemned the taxes imposed in 1767, as the foundation of all the troubles and political confusions; they had thrown the colonies into a ferment, and injured British commerce, by furnishing the Americans with a temptation to smuggle.

Lord Camden combated the assertion that the colonies were in rebellion, and entered into a variety of distinctions relative to constructive treason. He disclaimed all participation in the law for taxing America, having never been consulted on the subject.

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Lord Mans-  
field's  
speech.

Lord Cam-  
den.



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Duke of  
Grafton.

The Duke of Grafton reprobated the conduct of both the law lords; it was mean, he said, in Lord Camden, and much beneath the dignity of the exalted station he had filled, when the duties were imposed, to screen himself from the consequences by imputing the measure to others, who, as he was fully conscious, had no more particular concern in it than himself. The act was consented to, at least, in the cabinet: Lord Camden acquiesced in it; he sat in the chair of that house while it passed its several stages, and signified the royal approbation under the seal of his office; and shall he now tell the house and the public, that it passed without his approbation or participation? The duke gladly availed himself of the opportunity of testifying to the public, that he was not the author of the measure; perhaps it was contrary to his judgment; but he reserved his sentiments to a future occasion; every cabinet minister who acted and deliberated in that capacity at the time of passing a law, should equally share the censure or applause resulting from its merits or defects. His grace combated Lord Mansfield's arguments against the mode of enforcing the act, and lamented the misfortune he suffered, while minister, in being deprived of his assistance, which he knew was afforded to previous administrations.

Lord Lyttel-  
ton.

Lord Lyttelton spoke with great severity on the doctrine of Lord Camden, respecting constructive treasons. Those little evasions and distinctions, he observed, were the effects of professional subtlety and low cunning; it was highly absurd to enter into such flimsy observations on this or that particular phrase or word, and thence draw deductions, equally puerile and inconclusive, that the colonies were not in rebellion. He should not abide by such far-fetched interpretations; but be guided by common sense, and only consult the papers on the table, to prove beyond question the very reverse of Lord Camden's inference.

Lord Shel-  
burne.

Lord Shelburne, hoping the day of inquiry and public retribution would come, when the author of the present dangerous measures would be discovered, and that despotic system, which had for some time

governed the colonies be developed, affirmed, from his own knowledge, that neither the Duke of Grafton nor Lord Camden approved of taxing America; his own sentiments were too well known to require recapitulation; and he intimated that the King was favourably disposed toward the colonies. It was therefore deserving of inquiry, how this unexpected change was effected, and by what fatal over-ruling influence this great empire was brought to the eve of a civil war?

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The debate now became extremely tumultuous. The Duke of Richmond related official anecdotes, tending to censure Lord Mansfield, who in reply denied the charge of having influenced or directed the present measures; though, if true, he should glory in it, as he thought them wise, politic, and equitable. He disavowed, with manly pride, the low arts used to obtain popularity; and, while he claimed the merit of striving to deserve, renounced, with detestation, the baseness of courting it; he exposed the artifices of which he had been witness among cabinet-ministers to acquire popularity, as the means of forwarding their ambitious or interested views; and answered the menaces of his opponents with magnanimous defiance: "I am threatened!" he exclaimed; "I dare the authors of those threats to put any one of them in execution. I am ready to meet their charges, and prepared for the event, either to cover my adversaries with shame and disgrace, or, in my fall, risque the remnant of a life nearly drawing to a conclusion, and consequently not worth much solicitude."

Duke of  
Richmond

Lord Mans-  
field.

Lord Shelburne again pressed his former observations, and more than insinuated that the chief-justice of the King's Bench had not spoken the truth; upon which Lord Mansfield, with considerable warmth, lamented that, for the first time, he witnessed a deviation from the usual practice of that house, to behave like gentlemen, and accused the last speaker of uttering gross falsehoods. Lord Shelburne retorted the charge; and after some extraneous speeches relative to the navy, this disgraceful and indecorous debate was terminated, by adopting the affirmative of the

Lord Shel-  
burne.

Lord Mans-  
field.

Lord Shel-  
burne.  
Original  
motion  
carried.

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Protests.  
10th Feb.  
Augmenta-  
tion of forces.  
13th.

previous question, and agreeing to the address of the House of Commons\*. A protest on each subject was entered on the journals.

The King's answer to the address was accompanied with a message, in consequence of which 2000 additional seamen, and 4383 land forces were voted, though not without many severe censures on the conduct of government, the deceit practised by ministers in the small force at first demanded, and insinuations on the insufficiency of the armament to effect any beneficial purpose. "If ministers were really persuaded," Mr. Fox observed, "of the views and intentions of the Americans; if rebellion were written among them in such legible characters, how were we to account for their slothful and dilatory conduct? Had they conducted themselves on principles of common sense, they would have been earlier in their intelligence to Parliament, earlier in their application, and more vigorous in their measures." The probability of foreign interference was not omitted; and Captain Walsingham asserted that France had seventy-five sail of the line, one-half of which were manned and fit for actual service.

10th Feb.  
to the 24th.  
New Eng-  
land restrain-  
ing bill.

In pursuance of his plan, Lord North introduced a bill for restraining the commerce of the New England provinces to Great Britain, Ireland, and the West Indies, and prohibiting them from carrying on, for a limited time, any fishery on the banks of Newfoundland, with an exception in favour of individuals who should obtain from the governors of certain provinces certificates of good behaviour, and take a test acknowledging the rights of Parliament.

The bill was justified by the rebellious state of those provinces, as proved by the papers before the house; the arguments in its support were, that as the Americans had refused to trade with this kingdom, it was just to prevent their commerce with other nations. Whatever distress they might feel, their own conduct

\* The previous question is, Whether the main question shall be now put? which was carried by 104 to 29: the division on the principal question was 87 to 27. The protests were signed by 18 peers.

left them no right of complaint: they had begun the practice by an association calculated to ruin our merchants, impoverish our manufacturers, and starve the West-India islands.

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The opposition urged the impolicy of destroying a trade which could never be restored: God and nature, they argued, had given the Newfoundland fishery to New, and not to Old England. The penalties confounded the innocent with the guilty; nor was it possible for government to issue such a proclamation as would afford security to all who were well intentioned. The bill was calculated to irritate the Americans and starve four provinces; and the danger of the Americans withholding the debts due to British merchants was strongly urged. Mr. Dunning denied that the people of Massachusetts were in a state of rebellion, which, he said, was that state between a government and its subjects which between two independent countries would be war. Upon the very ground of this definition, Mr. Wedderburne proved that the colonists were in rebellion.

Opposition.

During the progress of the bill, petitions were presented from the American merchants in London, from the merchants of Poole, from the Quakers, and from the merchants of Waterford. They were referred to a committee, before whom counsel were heard, and many witnesses examined; but their evidence did not prove the inexpediency of the measure.

24th Feb.  
Petitions.

28th.

28th Feb.  
to 6th Mar.  
Evidence.

On the third reading, Mr. Hartley proposed a clause, permitting the importation of fuel, corn, meal, flour, and other victual, carried coastwise from other parts of America, into the proscribed provinces. This motion brought before the house, in vivid colours, the question of involving in one common famine the friend and the foe of government; the resisting adult, the feeble infant, the pregnant female, and the decrepid elder. The people, Mr. Burke observed, were already reduced to beggary, and now the beggar's scrip was taken from them; even the morsel tendered by the hand of charity was dashed from the mouth of hunger. Mr. Fox, with his usual impetuosity, said to

8th May.  
Debate on  
the third  
reading.

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ministers, "You have now completed the system of your folly. You had some friends yet left in New England, but rather than not make the ruin of that devoted country complete, they are to be involved in one common famine. 'You see,' it will be said to them, 'what friends in England you have depended upon. 'You are treated in common with us as rebels. Your loyalty has ruined you. Rebellion alone, if resistance is rebellion, can save you from famine and ruin.' I thought your measures intended to divide the people; but you unite all, because you wish to destroy all."

Governor Pownall answered all these arguments, by stating as a fact, that the New English colonies (although agriculture was neglected) were in no danger of famine: they were provision colonies, they were great grazing settlements, and the flour and biscuit imported from Philadelphia and New York were merely articles of luxury for the rich: he therefore ridiculed the imputations of obduracy and cruelty so liberally advanced against the ministry, and, considering the bill as a mere commercial regulation, withholding indulgences from colonies, who prohibited trade with England, gave it his cordial support. The motion was negatived\*.

15th and  
16th Mar.  
Opposition  
in the House  
of Lords.

In the Lords the bill was opposed, as in the lower House. Petitions were presented, and witnesses examined, to the same effect. On the motion for its commitment, the Marquis of Rockingham compared the conduct of ministry to that of Marshal Rozen, King James the Second's French general in Ireland, who, in order to reduce the garrison of Derry, collected the wives, children, and aged parents of the besieged, under the walls, there to perish by famine, or be massacred if they attempted to retreat. "But," the marquis added, "weak, infatuated, and bigoted as that prince was, his heart revolted at such a horrid expedient for subduing his enemies; as soon as it reached his knowledge, he immediately countermanded the barbarous order, and left the innocent and unoffending at liberty."

The ministerial members explicitly denied the imputation of intending to subject the colonists to famine: far from thinking themselves driven to that resource, they considered, that in the event of armed resistance, the Americans would afford an easy and inglorious conquest. "Suppose the colonies to abound with men," Lord Sandwich injudiciously exclaimed, "of what importance is the fact? They are raw, undisciplined, and cowardly. I wish, instead of forty or fifty thousand of these brave fellows, they would produce, at least, two hundred thousand; the more the better! the easier would be the conquest!—if they did not run away, they would starve themselves into compliance with our measures." The Duke of Grafton maintained that the bill was founded on the principle of retaliation and punishment, for an outrage as daring as it was unprovoked, still further heightened and aggravated by resistance to all lawful authority, and almost a positive avowal of total independence on the mother-country\*.

On the third reading, an amendment was made, invalidating protecting certificates obtained from the governors of New Jersey, Pennsylvania, Maryland, Virginia, and South Carolina, on the ground that these colonies were as much in a state of rebellion as those of New England†. The bill, thus altered, not agreeing with its title, the House of Commons desired a conference, when the Lords withdrew their amendment, and the bill passed in its original form. A protest against it was signed by sixteen peers.

The amendment of the Lords was, in fact, rendered unnecessary by a bill, which Lord North introduced, when the New England restraining act had passed the House of Commons, for laying restrictions, nearly similar, on the provinces they had specified. It passed the lower House, not without some opposition; but no new argument was offered; and in the proceedings of the House of Lords, neither debate nor protest appears.

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21st Mar.  
Amendment.

Conference.  
27th Mar.  
Amendment  
withdrawn.

Protest.

9th March to  
5th April.  
Bill for re-  
straining other  
colonies.

\* The numbers for committing the bill were 104 to 29.

† The amendment was carried, 52 to 23: the amended bill, 73 to 21.

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 1775.  
11th and  
27th April,  
Bounties to  
Ireland.

 Intimacy  
between  
Lord Chat-  
ham and Dr.  
Franklin.

To counterbalance the inconveniences which might be expected from these laws, the ministers allowed bounties on the importation of flax-seed, and to Irish ships engaged in the Newfoundland and Greenland fisheries, and removed some restraints which in other respects affected the Irish commerce.

While the discussions were proceeding in the House of Lords, an unusual intimacy was observed between Lord Chatham and Dr. Franklin. This was the more remarkable, as, from antecedent circumstances, they could not have been expected to entertain toward each other any very friendly sentiments. Their position, at a former period, when his lordship was the great, the popular, the successful minister of the Crown, is described by Franklin: "When I came to England in 1757, I made several attempts to be introduced to Lord Chatham, on account of my Pennsylvania business; but without success. He was then too great a man, or so much occupied in affairs of greater moment. I was therefore obliged to content myself with a kind of non-apparent and unacknowledged communication through Mr. Potter and Mr. Wood, his secretaries, who seemed to cultivate an acquaintance with me by their civilities, and drew from me what information I could give relative to the American war, with my sentiments occasioned by measures that were proposed, or advised by others, which gave me the opportunity of recommending and enforcing the utility of conquering Canada. I afterwards considered Mr. Pitt as an *inaccessible*; I admired him at a distance, and made no more attempts for a nearer acquaintance. I had only once or twice the satisfaction of hearing, through Lord Shelburne, and I think Lord Stanhope, that he did me the honour of mentioning me sometimes as a person of respectable character."

But now, so altered were sentiments and circumstances, the noble leader of opposition solicited the acquaintance which before he had regarded with so much indifference, and elevated the man to whom he had barely conceded a respectable character, into a

confidant and a political coadjutor. He effected an acquaintance through the intervention of Mr. Sargent and Lord Stanhope, received Dr. Franklin at Hayes, courted his friendship, solicited the communication of his intelligence from America, advised on the plans to be pursued, and submitted his own projects and motions to the perusal and censure of his new associate. To make their connexion more public and more generally noticed, Lord Chatham personally introduced Franklin below the bar of the House of Lords on the day he made his first motion, pronouncing his name loudly, and so openly declared sentiments coinciding with his declared opinions, that Lord Sandwich did not hesitate to ascribe the expressions of the noble lord to the dictates of his American adviser, one of the bitterest and most mischievous enemies this country had ever known.

After the rejection of all Lord Chatham's propositions, Dr. Franklin did not expect to hear of any further negotiation toward an amicable adjustment; but a new opening was offered, and, far from receding, he advanced, with as much firmness as before, all the pretensions of Congress. On the subject of Canada, it was suggested that what related to boundary might be conceded and settled on the petition of the several provinces which would be injured by the extension of territory described in the statute. The observation in answer was, that as the Americans had co-operated with the people of Great Britain in the conquest, they had right to be consulted in the government of it; and required that the Quebec, Massachusetts, as well as other acts, should be entirely repealed. "We cannot endure despotism," it was said, "over any of our fellow-subjects; we must all be free, or none\*."

Before the bill for restraining the New England provinces had passed, Lord North, to the surprise of opposition, and of many of his own adherents, brought forward, in a committee, propositions for conciliating the differences with America. Adverting to the terms

Feb. 13th.  
Further attempt at negotiation.

20th Feb.  
Lord North's conciliatory proposition.  
His speech.

\* Franklin's Memoirs.



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of the address on the American papers, he observed, although Parliament could never relinquish the right of taxation, yet, if the Americans would propose means of contributing their share to the common defence, the exercise of the right might without hesitation be suspended, and the privilege of raising their own portion of contribution conceded to the colonists. This being the sense, and he believed the very words in which he moved the address, he proposed a resolution, "That when the governor, council and assembly, or general court of any of his Majesty's provinces, or colonies, shall propose to make provision for contributing their proportion to the common defence; to be raised under the authorities of the general court, or general assembly, and disposable by Parliament; and shall engage to make provision also for the support of the civil government, and administration of justice; it will be proper, if such proposal shall be approved by His Majesty in Parliament, and for so long as such provision shall be made accordingly, to forbear in respect of such province or colony, to levy any duty, tax, or assessment, except for the regulation of commerce; the net produce of which shall be carried to the account of such province, colony, or plantation."

His speech.

To this resolution Lord North anticipated objections from various quarters; but the terms being such as, even in the hour of victory, would be good and just, he left it to the consideration of the House. It would be a test of the American pretensions: if their ostensible causes of opposition were real, they must agree with the proposition; if they did not, it would become indisputable that they had other views, and were actuated by other motives. To offer terms of peace was wise and humane; if the colonists rejected them, their blood must be upon their own heads.

Debate.

Governor  
Pownall sup-  
ports the  
measure.

The minister did not err in his conjecture of opposition; but he also received unusual support: Governor Pownall was a warm advocate for the measure; he referred to his past conduct as a proof of his at-

tachment to the Americans; his principles were known through the medium of the press, and he was entirely independent of the minister, and unconnected with opposition. He traced the origin of the present disputes to a Congress at Albany in 1754, at which he was present; he had the means of knowing the real opinion of the first men of business and ability in that country, and saw the rise of the present crisis. He had, therefore, always, in both countries, recommended such a mode of conduct as in his judgment was calculated to prevent a rupture; but had the misfortune to find his counsel disregarded. He now saw the colonists resisting the government derived from the Crown and Parliament; opposing rights which they had always acknowledged; arming and arraying themselves, and carrying their opposition into force by arms: under such circumstances, he could not deny the necessity which impelled this country to assume a hostile position: the Americans themselves had rendered it necessary. But although he acquiesced in the coercive measures of government, he ever looked to pacification, and hailed the proposition as a dawn of peace. If two adverse nations were on the eve of war, some mediating power might be found to avert the calamity; and, considering the Americans in the same situation, he adjured the House, and particularly the country gentlemen, to interfere and prevent fatal consequences. The terms were prudent and candid; and an analysis of the proposition proved it, in all its parts, wise, politic, and equitable.

Mr. Fox congratulated his friends and the public on the retrograde movement of the minister, who, receding from his former steps of violence and war, now tried the paths of peace; a change which he attributed to the persevering efforts of a firm and spirited opposition. He questioned, however, the sincerity of the motion: it exhibited two faces; to the Americans it offered negotiation and reconciliation; and to the advocates of British supremacy, a resolution never to abandon that object. This conduct would alienate his friends, while those who sincerely desired peace

Speech of  
Mr. Fox.

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Mr. Jenkin-  
son.

Motion for  
chairman to  
leave the  
chair.

Embarrass-  
ment of the  
minister.  
Extricated  
by Sir Gil-  
bert Elliott.

Colonel  
Barré.

would not trust the speciousness of his offers, and the Americans would reject them with disdain.

Mr. Jenkinson denied that the proposition indicated any change of proceedings: on the contrary, it made part of the very measures in which the House engaged by the late address. So far from being a new proposition, it was the same which Mr. Grenville had made to the colonies the year before he introduced the stamp act; and, had the colonies ever proposed measures in this line of common service, government would have been ready to listen. If the proposition contained any novelty, it consisted in that explicit and definitive mode of explanation, which, if rejected, would leave the colonies without excuse.

The great objection to the motion arose from its repugnance to the address; an opinion first started by Mr. Welbore Ellis, and supported by Mr. Adam, Mr. Dundas, and Mr. Ackland, who moved that the chairman should leave the chair.

Lord North was embarrassed by this objection, and spoke several times in explanation: Sir Gilbert Elliott at length reconciled the apparent deviation, by observing, that the address contained two correspondent lines of conduct. The one, to repress rebellion, protect loyalty, and enforce the laws: for this, the forces had been augmented, money levied, and measures of restriction resorted to. The other concurrent and concomitant line was, indulgence to those who would return to their duty: this, in the address, was necessarily intimated in general and vague terms; no definitive and explicit expressions could be used, unless the subject had been assumed as a particular point of consideration. The measure now proposed, far from being contradictory to, or inconsistent with, the other, was so absolutely connected, that, without it, the plan adopted at the beginning of the session would be broken, defective, and unjust.

Colonel Barré vigorously attacked the minister on the ridiculous situation in which he had placed himself, and from which he was only extricated by Sir Gilbert Elliott. He expected at first that Lord

North would have lost many of his old friends, without gaining new. But, although the minister's new motion would cause no new divisions, yet it was founded on that wretched, low, shameful, abominable maxim, which had so long predominated, *divide et impera*. This was to divide the Americans; this was to break those associations, to dissolve that generous union, in which, as one man, they stood in defence of their rights and liberties. But they were not, nor could the minister consider them such gudgeons as to be caught with so foolish a bait: he meant only to propose something specious, which he knew the Americans would refuse; and thus afford a pretext for calling down tenfold vengeance on their devoted heads, now rendered ten times more odious. But this snare would not succeed!

Lord North again rose to defend himself against the charge of a low, mean, foolish policy, in grounding his measures on the maxim *divide et impera*. "Is it foolish, is it mean," he said, "when a people, heated and misled by evil councils, are running into unlawful combinations, to hold out those terms which will sift the reasonable from the unreasonable, distinguish those who act upon principle from those who wish only to profit by the general confusion and ruin? If propositions that the conscientious and the prudent will accept, will, at the same time, recover them from the influence and fascination of the wicked; I avow the use of that principle, which will thus divide the good from the bad, and give aid and support to the friends of peace and good government."

Lord North.

Mr. Burke called the proposition a contradiction to all the declarations of Parliament, a shameful prevarication in ministers, and a mean departure from all their professions: he was willing to purchase peace by any humiliation of ministers or of Parliament; but the present measure was mean without being conciliatory. It was a far more oppressive mode of taxation than that hitherto used, for it made no determinate demand. The colonies were to be held in durance by troops and fleets, until singly and separately they

Mr. Burke.

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should offer to contribute to a service they could not know, in a proportion they could not guess, on a standard which they were so far from being able to ascertain, that Parliament had not ventured to hint at the scope of their expectations. He compared this conduct to the tyranny of Nebuchadnezzar, who ordered the assemblies of his wise men, on pain of death, not only to interpret, but to tell him the subject of a dream which he had forgotten. Every benefit, natural and political, must be acquired in the order of things, and in its proper season. Revenue from free people must be the consequence, and not the condition, of peace; if this order were inverted, neither peace nor revenue could be obtained.

Mr. Dunning.

Mr. Dunning bantered the minister on the danger he had incurred of losing his usual supporters, his efforts to retain them, and the timely interference of Sir Gilbert Elliot. He admitted the validity of the objections taken by ministerial members, and opposed the motion, as being not conciliatory, but subtle and treacherous. It was, however, adopted by a large majority\*. On presenting the report of the committee, the argument was renewed, but nothing remarkable for novelty or interest was urged on either side. The resolution was agreed to without a division.

27th Feb.  
Resolution  
agreed to.

Burke's  
motion.

Lord North's plan of conciliation, if indeed conciliation was possible, contained no great radical defects; it did not compromise the dignity of empire,

\* 274 to 88. This celebrated debate is described with characteristic wit by Gibbon: "We go on with regard to America, if we can be said to go on; for last Monday a conciliatory motion of allowing the colonies to tax themselves, was introduced by Lord North, in the midst of lives and fortunes, war and famine; we went into the House in confusion, every moment expecting that the Bedfords would fly into rebellion against those measures. Lord North rose six times to appease the storm, but all in vain; till at length Sir Gilbert declared for administration, and the troops all rallied under their proper standard." Gibbon's *Posthumous Works*, vol. i. p. 490. Lord Chatham, in a letter to his lady, 21st February, 1775, gives an account of the debate, not less lively than that of Gibbon, and not widely differing in effect: "Lord North was, in the beginning of the day, like a man exploded, and the judgment of the House, during two whole hours, was that his lordship was going to be in a considerable minority; Mr. Ellis and others, young Acland in particular, having declared highly and roughly against his desertion of the cause of cruelty. Sir Gilbert Elliot arose, and spoke 'ferry prief and ferry wise worts' in 'th' imminent 'deadly breach,' and turned the fortune of the day. The warlike Rigby took notes, and put them generously in his pocket. Lord North is thought to have 'made a wretched figure in the House.'" Correspondence, vol. iv. p. 403.

or require abject submission: most of the arguments against it, used by the members generally in opposition, were drawn rather from the imputed character of the minister and the obsequious disposition of Parliament, than the nature of the measure. Acquiescence was not, perhaps, seriously expected by either party; but as the American cause was highly interesting to the opposition, it was necessary for them to produce a plan of conciliation, for the acceptance of which by the Americans they could pledge their credit, and from the terms of which they might, by comparison, infer a censure of Lord North's proposition. Accordingly, about a month after the minister's motion was carried, Mr. Burke proposed thirteen resolutions, as the basis of tranquillity, and the means of obviating all future causes of contention.

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22d March.

In recommending this measure, Mr. Burke made one of his most eloquent speeches. It may be considered a model of skilful pleading; but when the parts of the oration are distinctly reviewed and compared, when the partial statements of fact, the fallacious deductions in argument, the palliation of the indignities and injuries sustained by Great Britain, and the exaggeration of the wrongs done to America, are accurately investigated, the effect ceases, and it cannot be considered as a foundation for any system of action calculated to promote general good.

His speech.

In his exordium, Mr. Burke reviewed the state of Great Britain, with regard to America, and stated the necessity he felt, not unaccompanied with diffidence, of making some proposition for permanent tranquillity. Anger and violence, daily increasing, were hastening toward an incurable alienation of the colonies: his proposition was peace: "Not peace through the medium of war; not peace to be hunted through the labyrinth of intricate and endless negotiations; not peace to rise out of universal discord, fomented from principle, in all parts of the empire; not peace to depend on the judicial determination of perplexing questions, or precision in marking the shadowy boundaries of a complex government: but

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“ simple peace ; sought in its natural course, and ordinary haunts ; peace sought in the spirit of peace ; and laid in principles purely pacific. I propose, by removing the ground of the difference, and by restoring the former unsuspecting confidence of the colonies in the mother-country, to give permanent satisfaction to your people ; and (far from a scheme of ruling by discord) to reconcile them to each other in the same act, and by the bond of the very same interest which reconciles them to British government.”

He attempted to ridicule Lord North's proposition, but took advantage of the acquiescence of the House in it, to reason, as on an established principle, that the American complaints were not without foundation, that conciliation was admissible before concession, and to infer that the proposals ought to originate from Great Britain.

He then viewed the enlarged population of America, and increased importance of her trade, both in exports and imports ; describing in glowing terms her augmenting commerce\*, prosperous agriculture, and enterprising fisheries. Such a people should be governed by prudent management ; force was not only an odious, but a feeble instrument, for preserving a race so numerous, so active, so growing, so spirited, in a profitable and subordinate connexion.

In the character of the Americans, he contended, the love of freedom was the predominating feature ; a fierce love of liberty, rendered jealous, suspicious, restive, and intractable, by the appearance of an attempt to wrest from them by force, or shuffle from them by chicane, the only advantage which, in their

\* In descanting on this part of his subject, Mr. Burke assumed the African, West Indian, and North American trade to be so interwoven, that the attempt to separate them would tear to pieces the contexture of the whole ; and if not entirely destroy, would very much depreciate the value of all the parts, and therefore considered the three denominations one trade. On this basis he entered into a comparison between the exports in 1704, and the existing period, shewing that within that time they had increased from 569, 930l. to 6,024,171l., and that the trade with America was in 1772 within less than 500,000l. of being equal to what, at the beginning of the century, England carried on with the whole world. It is obvious that such commercial statements are easily adapted to the views or system of the speaker.

estimation, gave value to life. This ardour for liberty he ascribed to six causes :

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The descent of the Americans from Englishmen ;

The popular governments of the colonies ;

The religious spirit of the northern provinces ;

The possession of slaves in the southern, which rendered the owners far more proud and jealous of their freedom ;

Their education, which led so universally to the study of law, that almost all the Americans were lawyers, or smatterers in law, and successful proficient in the arts of chicane ;

And their distance from the seat of government. " Three thousand miles of ocean," he exclaimed, " lie between you and your subjects. No contrivance can prevent the effect of this distance, in weakening government. Seas roll, and months pass, between the order and the execution: and the want of a speedy explanation of a single point, is enough to defeat a whole system. You have, indeed, winged ministers of vengeance, who carry your bolts in their pounces to the remotest verge of the sea. But there a power steps in, that limits the arrogance of raging passions and furious elements, and says, ' So far shalt thou go, and no farther.' Who are you, that should fret, and rage, and bite the chains of nature? Nothing worse happens to you than does to all nations, who have extensive empire; and it happens in all the forms into which empire can be thrown. In large bodies, the circulation of power must be less vigorous at the extremities. Nature has said it. The Turk cannot govern Egypt, and Arabia, and Curdistan, as he governs Thrace; nor has he the same dominion in Crimea and Algiers, which he has at Bursa and Smyrna. Despotism itself is obliged to truck and huckster. The Sultan gets such obedience as he can. He governs with a loose rein, that he may govern at all; and the whole of the force and vigour of his authority in his centre, is derived from a prudent relaxation in all its borders. Spain, in her provinces, is perhaps not so well obeyed

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“ as you are in yours. She complies too ; she submits ;  
“ she watches times. This is the immutable condition,  
“ the eternal law of extensive and detached empire.”

From these investigations, he proceeded to examine the means by which a new government had been established without the ordinary artificial media of a positive constitution, better observed than the ancient government in its most fortunate periods, and yet formed in the midst of anarchy. Against the daring and stubborn spirit which could achieve such a prodigy, only three modes of proceeding could be found ; to change it by removing the causes ; to prosecute it as criminal ; or to comply with it as necessary. Examining distinctly each of the causes he had before assigned, the orator shewed the impracticability of changing those which were moral, and removing those which were natural. The second mode was too vast for his ideas of jurisprudence ; he knew not the method of drawing up an indictment against a whole people, and felt rather mortified than honoured by being a judge in his own cause ; nor were the criminations hitherto adopted attended with a correspondent effect. Massachusetts Bay was declared in rebellion, but no individual was convicted or even apprehended ; measures of coercion were resorted to, rather resembling a qualified hostility against an independent power, than the punishment of rebellious subjects.

Conciliation and concession alone remained ; the colonies complained of being taxed in a Parliament where they were not represented. If they were to be satisfied, it must be by giving them the boon they asked ; not another of a kind totally different, but which might be thought better for them. He deprecated all discussion on the right, as foreign from the question, which related merely to expediency. Whether the grant of money was a private power reserved out of the general trust of government, and how far mankind in all forms of polity were entitled to an exercise of that right by the charter of nature ? Or whether, on the contrary, a right of taxation was in-

volved in the general principle of legislation, and inseparable from the ordinary supreme power? "These," he said, "are deep questions where great names militate against each other; where reason is perplexed; and an appeal to authorities only thickens the confusion. For high and reverend authorities lift up their heads on both sides; and there is no sure footing in the middle. This point is the *great Serbonian bog betwixt Damietta and Mount Casius old, where armies whole have sunk*. I do not intend to be overwhelmed in that bog, though in such respectable company." A title, and arms to support it, were of no use, if reason tended to convince him that the assertion of his title would be the loss of his suit, and that he could only wound himself with his own weapons. He was not determining a point of law, but restoring tranquillity.

He then proceeded separately to develop his propositions, and to descant on each. They recited the unrepresented state of the colonies, and the injustice of taxing them by a British Parliament. Distance prevented their sending deputies to England, and they had general assemblies of their own legally authorized to raise taxes. Those assemblies had frequently granted large subsidies to the King, which had been found a more agreeable and beneficial manner of conducting to the public service than acts of parliament. The remaining propositions were to repeal the tax act of 1767; the Boston port act; the Massachusetts Bay judicature act; and the act for altering the charter of that colony; to explain and amend the statute of Henry VIII. for trial of treasons committed out of the realm; to render the judges appointed by the general assemblies irremovable, but by the King in council, on a representation or complaint from one branch of the colonial legislature, and by regulating the courts of admiralty, to render them more commodious to the suitors.

On each of these resolutions he descanted with much ability, quoting historical facts, citing the precedents of Ireland, Wales, Chester, and Durham, to shew the expediency of giving constitutional rights,

instead of imposing taxes, and inferring from every mode of argumentation, and every testimony of experience, the practical benefits to be derived from his plan.

He anticipated and endeavoured to obviate some objections, and attempted to reconcile the House to the cause of the Americans, by saying, they did not in any general way, or in any cool hour, go much beyond the demand of immunity in relation to taxes, and they had no interest contradictory to the grandeur and glory of England. He called Lord North's plan a project of ransom by auction, and, after a long analytical comparison, gave his own a decided preference, as deriving a larger fund from prosperous gratitude, than could be obtained by compulsive oppression. "What is the soil or climate," he exclaimed, "where experience has not uniformly proved that the voluntary flow of heaped-up plenty, bursting from the weight of its own rich luxuriance, has ever run with a more copious stream of revenue than could be squeezed from the dry husks of oppressed indigence by the straining of all the political machinery in the world."

He declared, in the strongest terms, the utter impossibility of obtaining a revenue in England transmitted from America, and argued, from the example of Bengal, where the sums received in taxes were refunded by loan, that no fiscal emolument could be expected from a distant country. Bengal was peculiarly qualified to produce and transmit wealth; America had none of these aptitudes. If she gave taxable objects, on which to lay duties here, and a surplus by a foreign sale of her commodities, she performed her part to the British revenue. With regard to her own internal establishments, she might, and doubtless would, contribute in moderation;—in moderation; for she ought not to be permitted to exhaust herself. "Magnanimity in politics is not seldom the truest wisdom; and a great empire, and little minds, go ill together. If we are conscious of our situation, and glow with zeal to fill our place as becomes our station and ourselves, we ought to elevate our minds to the

"greatness of that trust to which the order of Providence has called us. By adverting to the dignity of this high calling, our ancestors have turned a savage wilderness into a glorious empire; and have made the most extensive and the only honourable conquests; not by destroying, but by promoting, the wealth, the number, the happiness of the human race. Let us get an American revenue, as we have got an American empire. English privileges have made it all that it is: English privileges alone will make it all it can be."

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It appears that these propositions were vigorously Debate. combated, and a long and animated debate maintained, in which the principal speakers on the ministerial side were, Mr. Thurlow, Mr. Jenkinson, Mr. Cornwall, and Lord Frederic Campbell; but their speeches are not preserved. The insidiousness of the propositions was pointed out, and the attempt to introduce a necessity of yielding every object of contest, under the notion of affirming an obvious truth, was severely censured. The mere truth of an axiom did not prove, of course, the propriety of making it the subject of a vote: and, as the House had frequently resolved not to sanction the unconstitutional claims of the Americans, they could not admit resolves leading directly to a concession of them. No assurance was offered, that, if the propositions were adopted, the colonists would make dutiful returns; and thus the scheme, pursued through so many difficulties, of making that refractory people contribute their just proportion to the expenses of the whole empire, would be rendered abortive. It was further insisted, that not the American assemblies, nor any other body, except Parliament alone, could, consistently with the bill of rights, levy money for the use of the Crown; and that any minister, who suffered the grant of a revenue from the colonies in such a manner, would merit impeachment. All inferior assemblies in the empire were, like corporate towns in England, capable of making bye-laws for their own municipal government, and nothing further.

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Propositions  
rejected.27th March.  
Mr. Hart-  
ley's plan.

Negatived.

15th May.  
New York  
remon-  
strance.

The resolutions were supported by Lord John Cavendish, Mr. Hotham, Mr. Tuffnell, Alderman Sawbridge, and Mr. Fox; but the first being lost by a motion for the previous question\*, the remainder were similarly disposed of, or negatived without a division†.

Not discouraged by the failure of Mr. Burke's plan, Mr. Hartley, a few days afterward, introduced a new conciliatory project, differing but little from that which Lord Chatham tendered to the House of Lords. It was prefaced by a long and able speech, and concluded with a motion, that letters of requisition should, by the King's command, be written to the North American provinces, to make provision for their own defence, and the answers laid before the House. The debate did not produce any novelty in fact or argument, and the motion was negatived without a division; as were three others made by the same member, for suspending, during a limited period, the operation of the three acts of the last session, relative to Massachusetts's Bay.

Toward the close of the session, Mr. Burke produced to the House a representation and remonstrance from the general assembly of New York, for which colony he was agent. It was introduced by an assertion, undoubtedly true, that New York yielded to no part of the King's dominions in zeal for the prosperity and unity of the empire, and had ever contributed as much as any, in its proportion, to the defence and wealth of the whole. He candidly owned he did not

\* 270 to 72.

† Mr. Burke's speech was published, and is printed in vol. ii. of his works. The statement of the arguments on the other side is taken from a very confined report in Debrett's Debates, and from the Annual Register for 1775, p. 108. Dr. Tucker, in two tracts, entitled "A Letter to Edmund Burke, Esq. in answer to "his printed speech," and "An humble Address and earnest Appeal," has minutely investigated, and often triumphantly refuted Burke's positions and deductions. In point of style, Tucker is not to be compared with his antagonist, and he often attacks him on his employment as agent for the colony of New York, his equivocations, and his factiousness in opposition (which the Dean calls mock patriotism), in a manner which the provocations given by Burke can hardly justify; but Dr. Tucker took an uncommon view of political and commercial subjects, and he treated them with much good sense. His information was extensive, his mind free from every kind of affectation and pedantry, and all his counsels practical and solid, not theoretical and merely argumentative.

expect the House would approve of every opinion contained in the paper; but as its general language was decent and respectful, he moved, after recapitulating the heads, for leave to bring it up.

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The remonstrance was similar to those received from other parts of America, claiming the same rights, complaining of the same grievances, though avowedly not extended to the petitioners, and demanding the repeal of the same acts of parliament. This paper afforded a sufficient proof, that the arts by which the other colonies had been inflamed were not without success in New York.

Lord North, paying a just tribute to the disposition hitherto manifested by that province, and professing an inclination to relieve them in one of the subjects of complaint, the Quebec duties, moved an amendment, by which the petition would not be received, alleging, that although Parliament had already relaxed in very essential points, they could not hear any thing which tended to call in question the right of taxing. After some debate, the amendment was carried\*.

Rejected.

The Duke of Manchester offered a paper, somewhat similar, from the same body to the upper House; but, as he declined stating the general heads, the House could not receive it, consistently with the accustomed forms of Parliament†.

18th May.  
In the House  
of Lords.

\* 186 to 67.

† 45 to 25. The Earl of Effingham particularly exerted himself in this debate. He was bred to arms, and, from an eager desire to become a practical soldier, served as a volunteer in the Russian army during the late war with the Porte. The twenty-second regiment of foot, in which he held a captain's commission, being ordered to America, he resolved, though not possessed of an ample patrimony, to resign a darling profession, and all hopes of advancement, rather than bear arms in a cause he did not approve. In this debate he expressed his sentiments on this subject in the following terms: "Ever since I was at an age to have ambition at all, my highest has been to serve my country in a military capacity. If there was on earth an event I dreaded, it was to see this country so situated, as to make that profession incompatible with my duty as a citizen. That period is, in my opinion, arrived: and I have thought myself bound to relinquish the hopes I had formed, by a resignation, which appeared to me the only method of avoiding the guilt of enslaving my country, and embroiling my hands in the blood of her sons. When the duties of a soldier and a citizen become inconsistent, I shall always think myself obliged to sink the character of a soldier in that of the citizen, till those duties shall again, by the malice of our real enemies, become united. It is no small sacrifice which a man makes who gives up his profession; but it is a much greater, when a predilection, strengthened by habit, has given him so strong an attachment to his profession as I feel.

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Attempts to  
repeal the  
Quebec act.

Attempts were made in both houses, nearly at the same time, to procure a repeal of the act for establishing the government of Quebec. In the Lords, the motion was produced by Lord Camden; in the Commons, by Sir George Savile. Both took, for their foundation, petitions signed in November 1774 by a hundred and eighty-four persons, complaining of the privation of the habeas corpus and the trial by jury. The arguments against the act embraced the topics of last session, and the usual invectives against popery; and the defence was conducted on the principles originally advanced in support of the measure, with additional observations derived from experience. The motions for repeal were negatived\*.

12th April.

In consequence of a message from his Majesty, the palace in St. James's Park, called Buckingham-house, was purchased, and settled on the Queen, in lieu of Somerset-house, which was given up for public uses.

1771.

Dec. 6, 16.  
Proceedings  
of the Lords  
respecting  
exclusion of  
strangers.

Some proceedings respecting the forms and constitution of Parliament had no inconsiderable share of interest. With a view to extinguish a feeling of resentment often strongly expressed by members of the House of Commons, respecting their exclusion from the upper House, it was resolved, on the motion of Lord Lyttelton, that the doors should be open to them, to the sons and brothers of peers of all the three kingdoms, and to so many of the public as should be introduced by English peers. This point was conceded with the greatest appearance of dignity and grace, as the other house had not shewn the same good temper. Mr. Thomas Townshend introduced the subject, by lamenting that, by the shutting of the gallery doors, several young lords, who would wish to hear and be instructed, were deprived of the privilege. Both houses had acted absurdly, and that which first corrected the absurdity would stand on the highest ground. Mr.

12th.

In the House  
of Commons.

"I have, however, this one consolation, that, by making that sacrifice, I at least 'give to my country an unequivocal proof of the sincerity of my principles.'" The cities of London and Dublin voted him their thanks for this conduct. *History of Lord North's Administration*, p. 202.

\* In the Lords, 88 to 28. In the Commons, 174 to 86.

Hans Stanley and Sir Gilbert Elliot supported the proposal, and, upon principle, were rather disposed to extend than to limit the rights of admission. Mr. Rice, on the contrary, contended that, as the behaviour of the Lords had been so outrageous, he would not allow them any admittance, lest it should be construed as concession. Colonel Barré, alluding to a similar transaction in the days of George the First or his successor, quoted an observation of John, Duke of Argyle, that, as the Peers ought to be more polite and have better manners than the Commons, it was expedient in them to set the Commons an example, by opening their doors. Mr. Burke dissented from the duke's opinion: the Peers had not more manners, although they had more pride, than the Commons; more true politeness would be found among the country gentlemen. In the progress of his speech, he made further reflections, which were neither complimentary nor conciliating toward the Lords, and the conversation dropped.

Alderman Sawbridge made his accustomed motion for shortening the duration of parliament, which deserves notice only in consequence of its having produced from Mr. Wilkes, recently installed as Lord Mayor of London, a violent speech. "Several gentlemen," he said, "have talked of the last parliament in the terms of reproach and indignation which that profligate assembly most justly merited. I fear the present parliament are treading in the same steps which conducted their immediate predecessors to the utter hatred of the nation; they seem to advance with giant strides to a like detestation from this age and from all posterity." A long harangue, composed of similar matter, although supported by the learning and eloquence of Serjeant Glynn, produced no effect; the motion was negatived\*.

A more animated debate took place, when Mr. Wilkes moved that the resolution for expelling him should be expunged from the journals. The fatal precedent established by that act, he said, was a direct

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Feb. 1.  
Alderman  
Sawbridge's  
motion.

Speech of  
Mr. Wilkes.

Feb. 22nd.  
Mr. Wilkes's  
motion on his  
expulsion.



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attack on the inalienable rights of the people. The most respectable bodies in the kingdom had expressed their abhorrence of it, and petitioned the Crown to dissolve the Parliament which had been guilty of such a flagrant breach of trust. Above sixty thousand of our fellow-subjects had carried their complaints to the foot of the throne, a number deserving the highest regard from the minister, if his whole attention had not been engrossed by the small number of six thousand, who returned the majority of members to that House. The people had been in a ferment which had not yet subsided. He minutely recited the proceedings against him, quoted the opinions of law writers, and cited precedents relating to expulsion. He was materially aided by Sergeant Glynn, who also referred to the precedents and legal opinions. Colonel Onslow, on the other side, controverted the deductions made by both these speakers, and, referring to a series of precedents, from that of Arthur Hall in the times of Queen Elizabeth, contended that the authority of Parliament was not exceeded in the course which had been adopted. With considerable humour, he referred to some late elections in the City, and particularly that of the Lord Mayor. "On their late vacancies for aldermen, the citizens have not been able to fill them from the City. They have gone to the west end of the town, and other parts of the kingdom, to find patriots qualified to preside over them as magistrates, and represent them in the City senate. Instead of the fat, inactive, commercial aldermen, they have chosen patriots, as Shakspeare says, not 'sleek-headed men, 'and such as sleep o' nights;' they have discarded the fat, sleek, well-carcassed, black dock from the City coach, and have substituted the nag-tailed, the patriotic alderman; animals which champ the bit, prance, and curvet; but I doubt whether these blood-bays will draw quite so well as the old blacks; and if the phaeton, now on the box, should overturn the state-coach into Fleet-ditch, I question whether these light cattle will be able to get it out again." Many other members delivered their sentiments. Mr.

Fox, regardless of all effects on popularity, maintained the opinions he had formerly given, and the motion was negatived\*.

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An attempt by Mr. Fuller to procure a Bill for diminishing the expenses of county elections, and the proceedings before committees, respecting the recent elections for Saltash and Hindon, produced some spirited debates, but no important results. Mr. Gilbert called the attention of the House to the state of the laws for maintenance of the poor, and offered a series of resolutions, which were referred to a Committee, and formed the basis of some wise, humane, and beneficial regulations.

Other  
Proceedings.

At the conclusion of the session, the King expressed his entire satisfaction at the conduct of Parliament, and augured the most salutary effects, from measures formed and conducted on such principles.

26th May,  
Prorogation.

\* 239 to 171. "On Wednesday," says Gibbon, "we had the Middlesex election. I was a patriot; sat by the Lord Mayor, who spoke well, and "with temper, but before the end of the debate fell fast asleep."

## CHAPTER THE TWENTY-SIXTH.

1774—1775—1776.

State of Boston.—American force and character undervalued.  
 —Gage insufficiently reinforced—Conduct of New York.  
 —Meeting of the provincial Congress of Massachusetts Bay.  
 —Proceedings in other provinces.—Attempt of Gage to seize cannon at Salem.—Expedition to Concord.—Hostilities at Lexington.—Contradictory statements.—Blockade of Boston by the Americans.—Exertions of the provincial Congress.—Lord North's conciliatory propositions referred to the assembly of Pennsylvania—and rejected—the same in other colonies.—Sitting of the general Congress.—Their first measures.—Arrival of reinforcements.—Gage proclaims martial law.—Bunker's Hill fortified by the Americans—stormed by the English.—Proceedings of Congress.—Accession of Georgia to the confederacy.—Peace expected by the Congress.—Washington appointed commander-in-chief.—Declaration of Congress.—State of their army.—Inertness of the British army.—Congress vote an address to the legislature of Jamaica.—Reject the conciliatory propositions.—Expedition against Canada undertaken.—Capture of Ticonderoga.—Crown Point.—Skenesborough—and the sloop *Enterprise*.—Dissimulation of Congress.—Their address to the people of Canada.—Exertions of General Carleton.—Canada invaded.—Siege of St John's.—Fort Chamblee taken.—St. John's capitulates.—Ethan Allen taken prisoner.—Montreal evacuated.—Expedition of Americans through the Wilderness.—Maclean defends Quebec.—Arnold repulsed.—Judicious proceedings of Montgomery.—Joins in besieging Quebec.—State of the American army.—Assault of Quebec.—Death of Montgomery.—Failure of the enterprise.—Quebec blockaded.—

Transactions in Virginia.—Lord North's propositions rejected.—Contest between Lord Dunmore and the Assembly.—he retires on board a man of war.—Carries on predatory hostilities—proclaims martial law—emancipates the slaves.—Town of Norfolk burnt.—Lord Dunmore abandons the colony.—Failure of Connelly's project.—Transactions in North Caroliana.—The governor driven away.—The like in South Carolina.—Ascendancy of Congress.—Gage recalled.—Americans issue letters of marque.—Falmouth destroyed.—General view of events.

NOTWITHSTANDING the contributions raised in other colonies, the people of Boston experienced great distress; a populous and commercial town, suddenly deprived of its usual means of support and prosperity, was reduced to an abject dependence on eleemosynary bounty; a severe winter increased the general misery; none were totally exempt from inconvenience, and many were plunged in the deepest calamity. The restraints of law were suspended; but yet, no violence or disorder was committed, except in the struggles between the opponents of government and the military; and perhaps even these were greatly exaggerated. But the sufferings so generally experienced could not fail of producing a proportionate share of resentment; and although the military force was sufficient to prevent serious attempts, the spirit of animosity and resolute resistance was assiduously kept alive, and inflamed by every species of publication and address.

It was a great misfortune in the commencement of this unhappy contest, that government undervalued and even expressed contempt of the strength and qualities of those who were opposed to them; neglecting thus the proper means of enforcing submission, and exasperating, through the medium of their pride, the hostile disposition of their enemies. When no doubt could be entertained that a conflict in arms was intended, and even certain, General Gage apprised ministers that he could form a body of three thousand

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character  
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Gage insuffi-  
ciently rein-  
forced.

Jan. 27.

men; but he prudently added, that the enemy confided in their numbers, and a small force would rather encourage resistance than terrify. If misunderstandings were to proceed to the last extremity, to begin with an army of twenty thousand would, in the end, save Great Britain both blood and treasure.

Whether from disagreement among themselves, fear of the censures of opposition, or a thorough misapprehension of the nature of the conflict that was to ensue, ministers totally disregarded this wholesome advice. Gage was told that as force must be repelled by force, new troops were sent, which, with those he could collect, by calling together every corps that could be spared from necessary duty, in every other part of America, would increase his army to nearly four thousand men, and that seven hundred marines, three regiments of infantry, and one of light dragoons would speedily be embarked from Ireland. He was also directed to encourage those who would raise corps of infantry in the country, and with these reinforcements it was hoped that he would be enabled to take an active part, to protect Boston, and resume his functions at Salem.

In the same dispatch it was observed, that to employ twenty thousand men would require an augmentation equal to a war establishment; but that would not be necessary. The violence committed by those who had taken up arms in Massachusetts's Bay, were only the acts of a rude rabble, without plan, without concert, without conduct. From these mistaken premises, a conclusion was drawn, that a small force at the present time, if put to the test, would be able to encounter them with a greater probability of success than might be expected from a great army, if the people should be suffered to form themselves on a more regular plan, to acquire confidence from discipline, and to prepare those resources without which every thing must be put to the issue of a single action.

It does not require the aid drawn from subsequent experience to detect the absurdity of this mode of reasoning; but it was carried to its highest point by

directing General Gage to arrest and imprison the principal actors and abettors in the Provincial Congress, should they presume again to assemble in defiance of the proclamation; with precaution and secrecy, all this, together with the protection of commerce against illegal seizures directed by Congress, might be effected without bloodshed; but supposing the contrary, any efforts of the people, unprepared to encounter with a regular force, could not be very formidable\*.

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The resolutions of Congress afforded room for many contests; but the dispersion of the members over the whole continent, the zeal resulting from the novelty and arduousness of their situation, as well as a strong political bias, the strenuous efforts of the corresponding committees, and the inflamed state of the public mind, gave the opponents of government many advantages over its friends. The exertions of the popular faction were violent and incessant, extending in every direction, and appealing to every motive of reason and of prejudice; those of the government party were comparatively feeble and languid, generally tending to remedy or obviate some disorder or misrepresentation, and often not adopted till the occasion had ceased, or was grown unimportant.

The assembly of New York rejected the proceedings of Congress on a solemn debate, as did a few towns† in other colonies: but their example was not calculated to produce general effect; and even the assembly of New York, before the termination of its sitting, voted an address complaining of many grievances, and requiring many of the remedies petitioned for by Congress. On the other hand, unremitting endeavours were used to familiarise to the people the

23rd Jan.

Conduct of  
New York.

\* Letters of General Gage and Lord Dartmouth, of the dates in the margin. State Papers.

† The inhabitants of Barnstable in New England, at a town-meeting (January 4th, 1775), rejected by large majorities the resolutions and proceedings of Congress; in Ridgefield, in Connecticut, a special town-meeting was held, and the proceedings of Congress renounced with only three dissentient voices. Loyal associations were formed, and the King's authority explicitly avowed in several towns, and by a small party even in Boston.

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Effect of the  
King's  
speech.

idea of having recourse to arms, and to furnish them with the means of making forcible resistance\*.

The King's speech on opening the session of Parliament greatly increased the popular discontent. Violent resentments were expressed at the imputation of a prevailing disposition to disloyalty; it was resolutely denied by several provincial Congresses, who declared that a *due* submission to the *constitutional* laws of their country was the great characteristic of the Americans. The fury of the people spread from town to town, with contagious rapidity, and it was promoted by all the artifices of misrepresentation. They were taught to believe that their religion was in danger, their lands to be taxed, and troops sent wantonly to massacre them†.

4th Feb.  
Meeting of  
the Provin-  
cial Congress  
of Massa-  
chuset's Bay.

In pursuance of their resolution at the last adjournment, and in defiance of all proclamations, the Provincial Congress of Massachusetts Bay met at Cambridge. In an address to the people, they expressed fears that, from the disposition of the British ministry and Parliament, reasonable and just applications for peace, liberty, and safety, would not meet with a favourable reception; but, on the contrary, from the large reinforcements expected, the tenor of intelligence, and general appearances, their sudden destruction was particularly intended, for refusing, with the other American colonies, tame submission to the most ignominious slavery. They recommended encouragements to persons skilled in manufacturing fire-arms and bayonets, and covenanted to purchase as many as could be produced within a certain time. They declared the highest detestation of all who should presume to supply the royal troops with military or building stores; exhorted the militia and minute-men ‡ to spare neither time, pains, nor expense, in acquiring

\* The town of Marblehead resolved, "That as the greater part of the inhabitants might soon be called forth to defend the charter and constitution of the province, a considerable advance of pay should be made to the militia; and decreed the raising of a sum of money for that purpose."

† General Gage to Lord Dartmouth, 17th February, 1775.—State Papers.

‡ So called from their engaging to be ready at a minute's notice.

discipline, and to procure skilful instructors for companies not already provided.

Similar measures were adopted in several other colonies. Pennsylvania was the first, which, in a provincial convention, approved the resolutions of the general Congress; and proposed means for supplying the province, from its internal resources, with the articles necessary for subsistence, clothing, and defence. Virginia was forming military companies; Connecticut boasted of a park of forty pieces of cannon, and ten thousand soldiers; and in Maryland, even force was resorted to in augmenting the patriotic levies.

General Gage's measures were not projected with the judgment nor arranged with the secrecy required by the occasion, and by the subtilty of his opponents. While the public mind was highly exasperated, and the rage against the military restrained only by the dread of their prowess, no enterprize should have been undertaken which was not of great importance in itself, and in which the means of success were not so combined as to render disappointment impossible. But General Gage was of an unsuspicious, confiding disposition; slow to believe that the Americans would urge opposition to the last extremities; tardy in adopting measures of coercion, and easily disposed to suspend compulsive efforts. Having received intelligence that some ordnance was deposited at Salem, he dispatched a field-officer with a small detachment on board a transport to seize it. They were deceived by a false information, arrested in their course by the proprietor of a private road, and baffled in their attempt to pass a small river by the destruction of the ferry boat, which was cut through with axes before their eyes; they were then obliged to avail themselves of the intercession of a clergyman, who, to prevent effusion of blood, and save their honour, obtained permission for them to make a small progress; and they finally returned to Boston, without accomplishing their instruction. In this frivolous expedition, they displayed the utmost coolness and discipline; but their disgrace in being foiled, afforded ground for exultation to the provincials,

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Proceedings  
in other Pro-  
vinces.

Pennsylvania.

Virginia.  
Connecticut.

Maryland.

Attempt to  
seize cannon  
at Salem.

26th Feb.



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Expedition  
to Concord.

and diminished the impression made by the presence of an armed body.

This failure might have warned General Gage against the bad policy of pursuing, with an insufficient force, expeditions up the country, where every hour's march strengthened the enemy, and rendered retreat dangerous and precarious. Yet his next attempt was of a similar nature. Having learned that military and naval stores, purchased for the provincial Congress, were deposited at Concord, he confided to Lieutenant-Colonel Smith, and Major Pitcairne, of the marines, the command of a secret expedition, composed of grenadiers and light infantry, to seize or destroy them.

18th April.

There is reason to believe that, notwithstanding the precautions taken, intelligence of the General's intentions had transpired\*. The troops were embarked by night in boats, and conveyed up Charles river, to Phipps's farm: they landed before day, and, in order to keep their march profoundly secret, seized all passengers; yet they had advanced only a few miles, when they perceived, by the firing of guns and ringing of bells, that the country was alarmed. Colonel Smith immediately detached six companies of light infantry to secure two bridges on different roads, leading from Concord, and on the other side of that town.

19th.  
Hostilities at  
Lexington.

At five o'clock in the morning, they reached Lexington, fifteen miles distant from Boston, near which they perceived a military corps exercising on a green; these persons were peremptorily summoned to throw down their arms and disperse; the former part of the injunction was disregarded, the latter sullenly obeyed, and while the Americans were in the act of retreating, some pieces were discharged at the King's troops from behind a stone wall, and from adjoining houses; the fire was returned, and several Americans killed and wounded. The advanced detachment was, in consequence of this delay, joined by the grenadiers; they proceeded to Concord and destroyed some stores; but the light infantry, posted at the bridge, were obliged

Stores de-  
stroyed at  
Concord.

\* See Stedman, vol. i. p. 119; Almon's Remembrancer for 1775, p. 81.

to maintain their position by firing on the militia, of whom nearly four hundred were assembled, and who returned the fire.

When the detachment began their retreat to Boston, the whole country was alarmed; the minutemen, volunteers, and militia, were posted among trees, in houses, and behind walls, whence they greatly annoyed the troops; while a strong body, hourly reinforced, pressed on their rear. Spent with fatigue, and harassed by an incessant and effectual, though irregular fire, the soldiers were driven before the Americans to Lexington, where they were fortunately met by sixteen companies of foot, and some marines, under Lord Percy. Colonel Smith's detachment, completely exhausted, lay down on the earth to recover strength, while the others formed a hollow square, inclosing them, and administering refreshment.

The united companies proceeded toward Boston, still harassed by the Americans, who from their places of ambush kept up an incessant fire, running from front to flank, and from flank to rear, loading their pieces at one place, and discharging them at another, in a manner which rendered it impossible to assault them in return.

After evading an insidious attempt to lure them to their doom, by false intelligence respecting a ford, the detachment reached Boston about sun-set, not less dispirited by the incidents, than exhausted by the fatigues of their long and distressing march. The whole force amounted to about eighteen hundred men; sixty-five were killed, a hundred and eighty wounded, and twenty-seven missing, of whom several were scalped, or had their ears cut off, by the Americans. The provincials lost, according to their own accounts, about fifty killed and thirty-eight wounded.

Such were the proceedings of this day, in which blood was first drawn in battle, between Great Britain and her colonies. Respecting their origin, assertions diametrically contradictory were advanced; but the animosity against government, openly promoted by the demagogues, the collecting of military stores, the

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The troops  
harassed in  
their return.

Observa-  
tions and  
view of the  
contradic-  
tory state-  
ments.

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Effects of  
the event.

pains taken to alarm the country, and the drawing up of an armed body to oppose the progress of the King's troops, render indisputable the hostile disposition of the Americans, and clearly indicate their resolution to try their strength on that day. In the recent expedition to Salem, and on many other occasions, the British troops had shewn incredible forbearance, sustaining every species of insult, without having recourse to extremities; and the assertion, that they were first assailed is supported by probability; although many witnesses gave testimony directly contrary\*.

The advantages derived from the expedition were but trifling, as great part of the stores had been previously removed; while the injury accruing to the cause of government was extensive and permanent. The circumstances of the day afforded the enemy an opportunity of throwing odium on the King's troops, and enabled them to excite the timid and confirm the wavering. Discipline and valour had been baffled by energy and cunning; those who were not engaged in the contest, became enflamed with emulation; longed to share the glory of driving before them the British troops; and talked with confidence of expelling them from Boston. Their zeal was farther excited by a report, industriously circulated, that one object of the expedition was the seizure of John Hancock and Samuel Adams, two distinguished members of Congress. For this assertion there are no authentic grounds, although the intention is consistent with the declarations of Gage, that the capture of some of these leaders would be of great importance to government. In fact, the mind of this commander was too unsettled and wavering for the position he occupied, and the times in which he was called upon to act. At one moment, he was full of apprehension of the designs, combination, and influence of the disaffected; at another, he expressed a belief that the frenzy which had seized the people was cooling; that the want of regular legal

\* See accounts on both sides, in the London Gazette, 10th July, 1775.—Stedman—Ramsay—Morse's American Geography—Almon's Remembrancer, 1775—and the depositions published by the Americans.

administration, the tyranny exercised over the press, and the oppression of individuals, were severely felt, and nothing required but the capture and punishment of the most obnoxious leaders, with a proclamation of general pardon to all others, to secure victory with little opposition\*.

It is well observed, by a writer friendly to the Americans, that as force was to decide the contest, it was fortunate for them that the first blood was drawn in New England, where the inhabitants are so connected by descent, manners, religion, politics, and a general equality, that the destruction of an individual interested the whole community, and excited general indignation. The militia from all parts of the province poured in, and an army was soon formed of twenty thousand men, under the command of colonels Ward, Pribble, Heath, Prescott, and Thomas, officers who had served in provincial regiments in the last war, and now acted as generals. The head quarters were fixed at Cambridge, and a large detachment from Connecticut having joined them under Putnam, a veteran, who had acquired knowledge and experience in the last two wars, a line of encampment was formed of thirty miles in extent, reaching from the river Mystick on the left, to Roxburgh on the right, and inclosing Boston in the centre; while Putnam took a position from which he could extend succours to those parts of the line of encampment which were nearest to Boston: the strength of the works from the Neck preserved that town from assault, but it was closely blockaded,

To prevent co-operation in case of an attack, which, however desperate, was daily expected, General Gage entered into a compact with the inhabitants, permitting them to leave the town, with their families and effects, on giving up their arms. Many, wishing to avail themselves of this agreement, performed their part of the stipulation; but it was speedily represented, that the enemies of government alone were disposed

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Boston  
blockaded  
by the Ame-  
ricans.

22nd April.  
Gage permits  
families to  
quit Boston;

\* Letters from General Gage to Lord Dartmouth, January 18th and 27th, and February 17th.

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1775.  
but after-  
wards re-  
strains them.

Exertions of  
the provincial  
Congress.

5th May.

Conduct of  
other Pro-  
vinces.

to quit Boston, by which means the danger of the well-disposed was greatly increased, as, in case of an assault, their lives and properties alone would be exposed. In consequence of these intimations, passports were not granted without delays and difficulties; effects, it was contended, did not include merchandize; the wives and children of those who absented themselves were deemed desirable hostages, and thus separations of families ensued. General Gage, in vindication of these proceedings, issued a proclamation, asserting, that all the arms had not been delivered up; but the inhabitants bitterly complained of the infraction of the agreement\*.

The provincial Congress, which was now removed to Waterton, ten miles from Boston, shewed their consideration for the besieging army, by making provisions for cloathing, and fixing a liberal pay for the officers and soldiers. They also established rules for governing the military force†, and voted one hundred thousand pounds to be issued in paper currency, for defraying its expenses, for the redemption of which paper the faith of the province was pledged, and it was to be a legal tender within the colony. They also drew up an address to the inhabitants of Great Britain, justifying the late conflict; complaining, in acrimonious terms, of the conduct of the regulars; professing great loyalty, but appealing to heaven for the justice of their cause, and declaring their resolution not to submit to the persecution and tyranny of a cruel ministry; to be free, or die. They also resolved, that, as General Gage had, by the late transactions, disqualified himself from serving that colony as governor, or in any other capacity, no obedience was due to him, but he was to be guarded against as an unnatural and inveterate enemy.

Other provinces displayed a spirit of ardour, zeal, and resolution consentaneous with that which prevailed

\* Ramsay's History of the American Revolution, vol. i. p. 189.

† See these rules, which, with the introductory recitals, are worthy of notice, as indicating the unaltered puritanical spirit of the people, in Almon's Remembrancer, vol. i. p. 120.

in Massachuset's Bay. Accounts of the affair at Lexington were transmitted, both by Gage and his opponents. The populace at New York seized the magazine of arms, unladed two provision vessels destined for the troops at Boston; formed themselves into military companies, chose officers, distributed arms, called a provincial congress, and adopted all the violent measures which they had hitherto so cautiously avoided. In Philadelphia, even the Quakers took up the sword, excepting only the aged and the heads of meetings. At some places the magazines were seized; in New Jersey the treasury; and a general prohibition was imposed on the exportation of provisions.

During this ferment, Lord North's conciliatory propositions arrived, and were first referred to the assembly of Pennsylvania, introduced by a persuasive and lenient address from Mr. Penn, the governor, who solicited temper, calmness, and deliberation, in considering the plan of reconciliation held out by the parent to her children; descanted on the equity, moderation, and kindness of the terms; congratulated them on being the first assembly to whom they had been submitted; and endeavoured, from this circumstance, to incite a desire of being instrumental in restoring public tranquillity, and rescuing both countries from the calamities of civil war.

Unmoved by these considerations, the house, without a dissentient voice, declared that they should esteem it a dishonourable desertion, to adopt a measure so extensive in its consequences, without the advice and consent of the colonies engaged with them, by solemn ties, in an union founded on just motives, and conducted by general councils. They could form no prospect of lasting advantages for Pennsylvania, however agreeable at the beginning, but what must arise from a communication of rights and prosperity; and if such a prospect should be opened, they had too sincere an affection for their brethren, and too strict a regard for the inviolable performance of their engagements, to receive any pleasure from a benefit equally due to other colonies, yet confined to themselves, and

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23d April.  
New York.

Philadel-  
phia.

Exportation  
of provisions  
prohibited.

2nd May.  
Conciliatory  
propositions  
referred to  
the assembly  
of Pennsyl-  
vania;

4th May.  
and rejected.

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which, by their temporary generous rejection, might be secured to all. In conclusion, they deprecated the calamities of civil war, considering it a dreadful misfortune, only to be exceeded by subversion of the liberties of America.

Rejected also  
in other pro-  
vinces.

Other colonial assemblies followed this precedent, adding various reasons, many of which were suggested by the arguments of opposition in parliament. Some regarded the propositions merely as a scheme for dissolving their union; some considered them not satisfactory, because the amount of the contribution was not left in their discretion, but to be determined by the King in Parliament, and all concurred in a reference to the general Congress, which in fact amounted to an utter rejection, as it was well known that the government of Great Britain would not acknowledge that body to be legally constituted. Nor was this general concurrence surprising, considering that the revolutionary party used the most tyrannical means to prevent any discussion in public, and even destroyed the office of James Rivington, a printer, for having dared to publish in a news-paper a fair statement of the propositions.

4th Jan.

The Earl of Dartmouth had, some months before, in a circular letter, directed the governors of colonies to use their utmost endeavours in preventing the appointment of deputies to Congress, as highly displeasing to the King; but, notwithstanding every effort, they assembled at Philadelphia, and proceeded to frame resolutions for raising an army, and the emission of a paper currency, the realization of which was guaranteed by the *United Colonies*; that being the title by which they decreed that America should in future be distinguished. They prohibited the exportation of provisions to the British fisheries, or to any colony, island, or place, which continued in obedience to Great Britain; a measure productive of great temporary distress, particularly at Newfoundland. It was qualified, however, with a proviso, that any person producing a certificate that he had imported gunpowder for the use of the continental army, should be paid its value twofold, and be allowed to export double its value

10th May.  
Sitting of the  
general Con-  
gress.

15th May.  
Their first  
measures.  
17th May.

without restriction. They also resolved, that, by the violation of the charter of William and Mary, the compact between the Crown and the people of Massachusetts's Bay was dissolved; and therefore recommended the establishment of a new government, by electing a governor, assistants, and house of assembly, according to the powers contained in the original charter. They prohibited the negotiation of bills of exchange, drafts, or orders issued by officers of the army or navy, agents or contractors, or the loan of money, to such persons, and the supplying of the army, navy, or transports, with provisions or necessaries. They erected a post-office, and placed it under the management of Franklin. The effect of these decrees was to be enforced by oaths in all the provinces, by which persons not only swore allegiance to Congress, but also renounced the British government, and promised not to supply his Majesty's troops or ships with necessaries of any kind.

The reinforcements from England arrived, under the command of Generals Howe, Burgoyne, and Clinton; men of undoubted bravery; in the prime of life; who had served in different parts of the world; eminent military characters, in whose appointment neither parliamentary nor other influence had been used. General Howe's family was unfriendly to administration, and General Burgoyne sided with the opposition. General Clinton, of the noble family of that name, had been aid-de-camp to the hereditary Prince of Brunswick, and had distinguished himself during the seven years' war.

Part of these troops being expected to land at New York, the inhabitants applied to Congress for instructions. As no effectual resistance could be opposed, they were advised to permit them to occupy the barracks, but not to allow the erection of fortifications or the interruption of communication with the country; and, in case of hostilities, to repel force by force. The removal of women and children, and securing of arms and magazines, were also recommended; and, in consequence of these measures, the once flourishing city became almost deserted. The newly-arrived forces,

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1775.  
8th June.

2nd June.

25th May.  
Arrival of  
reinforce-  
ments.



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12th June.  
Gage's pro-  
clamation.

although they formed a fine, well-disciplined army, and amounted to ten thousand men, did not immediately undertake any enterprise. Boston continued blockaded, and the army and inhabitants reduced to subsist on the military stores; while only a few skirmishes, occasioned by the attempts of different parties to obtain provisions, showed any desire on the part of the governor to meliorate his situation.

At length, as a last effort, General Gage issued a proclamation, in which he recited numerous violations of the laws by the Americans, the abuses of the press, the assault at Lexington, which he described as a consummate act of frenzy, committed by many thousands, who attacked the King's troops from behind walls and lurking holes; and complained of the blockade of Boston, which he said was made with the preposterous parade of military arrangement. In this exigency of complicated calamities, to spare the effusion of blood, he promised, in the King's name, pardon to all who should lay down their arms, and return to the duties of peaceable subjects. From this immunity he excepted Samuel Adams and John Hancock, as persons "whose offences were too flagitious to admit of any other consideration than that of condign punishment;" and declared them, and all who had appeared in arms and would not renounce them, and all who should protect or conceal such offenders, or supply or communicate with them, rebels and traitors. And as justice could not be administered by the common law of the land, he proceeded, by virtue of the authority vested in him by the royal charter of the province, to proclaim martial law, until the restoration of tranquillity\*.

Whether this measure roused the provincials to effectual enterprise, or whether they were stimulated by intelligence of Gage's intended movements, cannot be ascertained; but they now executed an attempt of considerable moment, with a celerity and resolution which afforded presage of an arduous contest. Charles-

\* See the Proclamation in Almon's Remembrancer, vol. i. p. 126.

town is situated on a peninsula to the north of Boston, on the opposite bank of Charles river, which being navigable, and nearly as broad as the Thames at London bridge, Boston and Charlestown have been compared to the city of London and the borough of Southwark. Charlestown gives its name to the peninsula, in the centre of which rises Bunker's Hill, with an easy ascent from the isthmus, sufficiently high to overlook any part of Boston, and within cannon shot.

It is more characteristic of the hesitative situation of the dispute, than of the disposition or judgment of either party, that this important position had been neglected until General Gage, yielding to repeated and urgent advice, determined to occupy it, but was anticipated by the enemy.

About nine o'clock in the evening, a strong detachment of Americans moved from Cambridge, and, passing over Charlestown Neck, reached the top of Bunker's Hill, in perfect silence and unobserved. With extreme rapidity and caution, they contrived, in a short summer's night, and without alarming the ships of war or transports lying around, to throw up an intrenchment, reaching from the river Mystick on their right, to a redoubt on their left, and in many places cannon-proof.

16th June.  
Americans  
fortify Bunker's Hill.

At day-break, they were observed by the Lively sloop of war; the alarm was given; a cannonade began from the sloop of war; and from Cop's Hill in Boston; but these raw provincials still continued their operations, undismayed by a roar of artillery, which might have occasioned some consternation even among veterans.

17th June.  
Stormed by  
the English.

About noon, a detachment from the British army landed on the peninsula of Charlestown, and was afterward reinforced to upward of two thousand men; two lines were formed; General Howe commanded the right, destined to attack the provincial intrenchment, and the left was led on by Brigadier-General Pigot, to storm the redoubt. The attack was begun by a sharp cannonade; the troops were suffered to form without molestation, and advanced slowly, halt-

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ing at intervals to afford time for the effect of the artillery. The left wing, moving forward, was opposed by a body of provincials, posted in the houses at Charlestown, and during the conflict the town was set on fire and destroyed.

The provincials on Bunker's Hill, secure within their intrenchments, reserved their fire till the troops approached within a short distance: they then opened so tremendous and continued a discharge of musketry, that the British line twice recoiled, and was with difficulty rallied. The officers were peculiarly aimed at by the riflemen, and General Howe was for some seconds left nearly alone, almost all those who were near his person being killed or wounded. At this crisis, General Clinton, from the opposite point at Boston, discerning the moment in which he could render effectual assistance, volunteered his services, and having passed the water with a detachment, rallied the troops, and by a happy manœuvre brought them back to the charge. The British soldiers, stung with shame, and animated by the appearance of a reinforcement, attacked with fixed bayonets, and with irresistible impetuosity drove the Americans from their works; they fled with precipitation; but as no pursuit was ordered, they did not suffer much in their flight. Of the British troops, two hundred and twenty-six were killed, and eight hundred and twenty-eight wounded. The Americans, by their own accounts, had three hundred and four wounded, and one hundred and forty-five slain, among the most lamented of whom was Dr. Warren, a physician and general in their army, who fell commanding in the redoubt.

The bravery and discipline of the British troops shone on this occasion with conspicuous lustre; they performed the dangerous exploit of driving before them an enemy amounting to three times their number, strongly posted and covered by a breast-work\*, under a scorching sun, and incumbered with three

Bravery of  
the troops.

\* The Americans asserted, they had only fifteen hundred men engaged. See the account of the provincial Congress of Massachusetts Bay. Remembrancer, vol. i. p. 284. Ramsay's History of the Revolution, vol. i. p. 203.

days' provision: their progress was up an ascent, covered with grass reaching to their knees, and intersected with the walls and fences of inclosures.

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Observa-  
tions on the  
action.

The conduct of the attack has been exposed to considerable censure: the whole object of the expedition might, it is said, have been accomplished without possibility of loss: a floating battery or armed vessels, placed in the Mystick river, opposite Charlestown Neck, would have not only prevented the sending reinforcements to the provincial troops, but might also have effectually cut off their retreat, without risk to the British forces. It is also observed, that nearly at the same place, and at no great distance from the spot where the British troops landed in the front of the enemy, they should have disembarked to attack the rear of the provincial army, where there was no intrenchment; and thus, beside avoiding all difficulties and impediments, they would have rendered the breast-work of the Americans useless; the whole detachment would have been inclosed in the peninsula, and must have surrendered at discretion, or been reduced to the desperate extremity of attempting to cut through the British line, while they sustained the fire of the floating batteries and armed vessels. It is mentioned as another error in conduct, that the attack was extended to the enemy's whole front, instead of being confined to their left wing, which was covered only by a breast-work of rails and hay, easily to be surmounted, and opening to a hill commanding their redoubt and lines. The unmilitary and unnecessary load under which the troops advanced, exhausted their strength and depressed their spirits, and during the engagement, a supply of ball, sent from Boston, was of dimensions too large for the field-pieces; an inadvertency which rendered the artillery useless\*.

As the British troops did not pursue the enemy, the advantages of this bloody contest were confined to the occupation of Bunker's Hill, where they fortified

Unimportant  
results.

\* See the History published under the name of Stedman, vol. i. p. 128. It is to be observed, however, that the author of this work always shews a strong disposition to censure General Howe.

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themselves, and thus gained an addition of space for quarters, but incumbered with a double garrison duty. The Americans raised works on another hill, with strong redoubts, and advanced them close to the fortifications on Boston Neck. One important effect of these conflicts was to undeceive those who before misapprehended the nature of the contest, and the quality of the enemy. "The late success," General Gage observes, speaking of Bunker's Hill, "was very necessary, but cost us dear. The number of killed and wounded is greater than we can afford. The trials we have had shew that the rebels are not the despicable rabble too many have supposed them to be. I find it, owing to a military spirit encouraged among them for some years past, joined with an uncommon degree of enthusiasm. Whenever they find cover, they make a good stand; and the country, naturally strong, affords it them; they are taught to assist its natural strength by art. They intrench and raise batteries; they have engineers to instruct them; they have fortified all the passes and heights around Boston, from Dorchester to Medford or Mystick, and it is not impossible for them to annoy the town\*".

Proceedings  
of Congress.

Meanwhile the Congress proceeded with vigour and diligence, and with a wary determination to convert every rising occurrence to the utmost advantage in forwarding their ultimate views, without disclosing them too amply, or alarming those who were not prepared to adopt their principles in their utmost extent. A few days after the meeting, Peyton Randolph, their president, retired; his situation was conferred on John Hancock, the person who was afterward excluded from pardon by Gage's proclamation; and, the province of Georgia adding itself to the general confederacy, all the colonies were included in the representative body

Power exercised by  
the Congress.

By thus concentrating and consolidating their power, the revolutionists gained an immense advantage. The British governors ruled in separate pro-

\* General Gage to Lord Dartmouth, 25th June, 1775. State Papers.

vinces, deriving authority only from their commissions, restrained in the exercise of it by general laws and local regulations. Statutes passed in their assemblies were binding only within the limits of their colonies; they could punish only according to the terms of strict law, under the adjudication of competent courts; they had no power to amend or restrain as necessity might direct, and they could not remit a penal sentence, or even a fine, without authority from the King in council. Congress, on the contrary, assuming, as representatives, the authority of the whole people, proscribed those whom they denominated enemies, enacted and enforced such oaths as they thought proper, confiscated property, declared disabilities, appropriated levies and ordered new ones, demanded military service, and inflicted severe sentences on those whom they deemed refractory or deserters, and they silenced opposition and remonstrance by exercising an arbitrary and rigid control over the press. These violences are not to be considered as a system of permanent government; but they formed a temporary tyranny, to which the people found they must submit, while struggling against what they were taught to call oppression. One result of this extensive and arbitrary power was the compulsory recruiting of the army: those who would not voluntarily join it, being sent to prison as enemies of their country; and those who, after the check at Bunker's Hill, wished to return to their houses, being refused passes, were seized and sent back to their regiments. They formed committees to arrange rules for government of the military assembled before Boston, which they styled the continental army, and for augmenting it from the provinces.

Their unanimous election of a commander-in-chief fell on George Washington, esq. who was the chairman of these committees; and the choice was equally judicious and fortunate, for nothing which was projected or executed contributed so much to the success of the cause as this selection. At the time of receiving the command, Mr. Washington was in his forty-fourth

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12th July.  
Georgia ac-  
cedes.  
15th June.  
Washington  
appointed  
Commander-  
in-Chief.

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year\*, a native of Virginia, where his family, of honourable English descent, had been settled more than a century. He had received as good an education as his native country could afford, and, applying himself assiduously to the portions of science which were most likely to be useful, acquired, before he had completed his nineteenth year, reputation and credit as a surveyor. In 1753 and 1754, he served his country both in negotiation and in arms, and attained the local rank of colonel. By his skill and judgment, and by a prudent marriage, he had greatly improved his estate, and resided on it, in the enjoyment of domestic felicity, and with the increasing satisfaction of seeing his property improve under his own vigilance and management. When the progress of disputes made an appeal to arms probable, his knowledge, integrity, and firmness, indicated him as the person fit to be intrusted with the formation and command of the provincial levies. He had been a member of the Assembly and Congress of Virginia, and always opposed the measures of the British government on the points of taxation and controul; but his opposition was not that of an ambitious man, seeking popularity or advancement through the aid of faction; it was that of a temperate and considerate reasoner, who, whether his opinions were well founded or not, delivered them with no pretension but that of convincing the judgment of his hearers. When Patrick Henry, and orators of his class, had vented their fervent ebullitions, they found their reward in clamorous applause, or in the affected repetition of their phrases; but when Washington's unadorned speeches were mentioned, it was always with an acknowledgment that they comprised all the good sense which had been uttered in the debates. These qualities recommended him as a delegate to Congress†.

\* He was born 22nd February, 1732.

† See Smollet's Continuation of Hume, vol. iii. p. 377, 420, and the Memoirs of General Washington, published by Judge Marshall, Dr. Bancroft, Dr. Ramsay, and Jared Sparks.

He returned thanks for the high trust with which he was invested, in a short, modest speech, expressing diffidence in his own abilities and military experience, and claiming the lenient consideration of Congress on his conduct. He declined a pecuniary remuneration of five hundred dollars per month, which had been voted, and even left to the generosity of his country the choice of refunding his expenses. Congress immediately resolved, "that they would maintain, assist, and adhere to him, with their lives and fortunes, in the cause of American liberty;" he was instructed to destroy or make prisoners all who should appear in arms against the *good people* of the colonies, and invested with a general power to dispose of the army as might be most advantageous in obtaining the end for which it had been raised, making it his special care that the liberties of America should receive no detriment.

In his progress to the camp, the new general received homage from the Congresses and public bodies of the different colonies, and was hailed by the army with lively exultation.

Pursuant to the form of last year's proceeding, the Congress drew up various justificatory addresses and appeals to the people.

One was entitled, "A Declaration, setting forth the causes and necessity of taking up arms." It was written in a verbose, declamatory style, accused the British government of "an intemperate rage for unlimited domination, and of designating the colonies to all the easy emoluments of statute plunder." American loyalty and liberality were highly vaunted; and the assertion of Lord Chatham, that the revenue derived from the provinces had enabled him to defeat the enemies of Britain was triumphantly quoted. They censured all the acts of the present reign, particularly the declaratory act, against which, while unrepresented, they had no defence. The proceedings of the late session, from the King's speech to the recess, were reprobated, not however without many compliments to the opposition, and to the petitioning cities and towns.

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1775.

His reception  
in the camp.  
3d July.

6th July.  
Declaration of  
Congress.



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1775.

The affair at Lexington was represented in the most unfavourable view ; General Gage's subsequent conduct stated in the blackest colours ; and his proclamation censured as replete with falsehoods and calumnies against the *good people* of America. " In brief," they said, " a part of these colonies now feels, and all are " sure of feeling, as far as the vengeance of adminis- " tration can inflict them, the complicated calamities " of fire, sword, and famine. We are reduced to the " alternative of unconditional submission to the tyranny " of irritated ministers, or resistance by force. The " latter is our choice. We have counted the cost of " this contest, and find nothing so dreadful as volun- " tary slavery. Our cause is just ; our union perfect ; " our internal resources great ; and, if necessary, fo- " reign assistance is undoubtedly attainable. The " arms we have been compelled by our enemies to as- " sume, we will, in defiance of every hazard, with " unabating firmness and perseverance, employ for the " preservation of our liberties, being, with one mind, " resolved to die freemen rather than live slaves." Finally, they abjured every intention to dissolve the union with the mother-country ; nor had they excited any other nation to declare war in their behalf. Their armies were not raised with the ambitious design of separating from Great Britain, or establishing independent states ; they fought for neither glory nor conquest. The mother-country, on the contrary, boasting of her privileges and civilization, proffered no milder conditions than servitude or death. " In our own native " land, in defence of the freedom that is our birth- " right, and which was ever enjoyed, till the late " violation of it ; for the protection of our property, " acquired solely by the honest industry of our fore- " fathers and ourselves ; against violence actually " offered, we have taken up arms. We will lay them " down when hostilities shall cease on the part of the " aggressors, and all danger of their being renewed " shall be removed, and not before."

This manifesto was read by General Washington to his troops, and received with enthusiastic acclama-

tions. He found, however, no motive for exultation, nor any ground for hope. The late action at Bunker's Hill inspired with much greater spirits those who related and reasoned on it, than those who were personally engaged, or viewed its progress. A large number of troops was collected, but they had none of the conveniences which are necessary for the comfort of regular armies. Instead of tents, they had a scanty supply of sails, which the suspension of commerce had rendered useless. They came to camp in their ordinary working dresses, and had therefore no uniforms; a deficiency which was afterwards supplied by the use of the hunting-shirt. For want of commissaries and quarter-masters, their supplies were insufficient and irregular: individuals brought provisions to the camp on their own horses; some received necessaries from committees of supply, but without system or economy: the Connecticut troops, who had proper officers, were alone tolerably well provided with food\*. General Washington complained loudly and repeatedly of his numerous wants and deficiencies to the Congress. "We have no store of ammunition," he said, "no tools for intrenching, nor engineers to direct the construction of military works; we have no money, and want clothing; there is a total laxity of discipline, and the majority not to be depended on in the event of another action†."

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1775.  
State of the  
army.

That this event did not take place is matter of considerable surprise, as the British commander was not unacquainted with the distressed state of the adverse army: he was even apprized by a deserter that they had not more than nine rounds of powder a man; but treated this true and important information as an invention, fabricated to lure him into some impracticable enterprise. The British army was intrenched on Bunker's Hill, having three floating batteries in Mystick river, and a twenty-gun ship below the ferry, between Boston and Charlestown. They had also a battery on Cop's Hill, Boston, and were strongly fortified on the

Inertness of  
the British  
army.

\* Ramsay's History of the Revolution, vol. i. p. 222.

† General Washington's Official Letters, vol. i. p. 2 to 9, et passim.

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Neck. The Americans were intrenched at Winter Hill, Prospect Hill, and Roxbury, communicating with one another by small posts, over a distance of ten miles. Parties were also stationed in several towns along the sea-coast. Thus both armies continued restrained by mutual fear of attack, and the year wasted without any transaction of greater importance than the burning of a light-house in Boston harbour, the surprise of a guard by the Americans, and some slight skirmishing between detached parties, instigated by attempts to obtain by force those fresh provisions which, in obedience to Congress, were tenaciously withheld. In addition to these circumstances, occurred one hardly ever paralleled. Toward the close of the year, the term of service being out, the American army disbanded, and a large majority of them, having first been deprived of their arms, quitted the camp, and yet a force so weakened was left unmolested, no attempt being made against them. It is said that Washington contrived, by marching and counter-marching, to impose a belief that he possessed a strength which no longer remained to him, and to suppress all means of communication; but it would seem that such a secret could not be maintained in so long a line as that which the Americans occupied; disclosures, if properly sought for, must have been obtained; even appearances, if attended to, would have declared the state of facts\*.

Address of  
Congress to  
the legisla-  
ture of Ja-  
maica.

31st July.  
They reject  
the concilia-  
tory propo-  
sitions.

Beside their manifesto, Congress voted an address to the house of assembly in Jamaica, vindicating their late proceedings, and demanding their good wishes as friends to liberty and mankind. They issued several other addresses; and recapitulated against Lord North's conciliatory propositions most of the objections made in Parliament, declaring that nothing but their own exertions could defeat the ministerial sentence, of death or abject submission†.

\* Many interesting particulars on these subjects will be found in Sparks's *Life of Washington*, vol. i. p. 138 to 154, and Johnson's *Life of General Greene*, 4to. vol. i. p. 31 to 48.

† Almon's *Remembrancer*, 1775, v. i. p. 274.

One of their earliest measures was an address to the people, or, as they termed them, "the oppressed inhabitants" of Canada. This province, surrounded by rivers and lakes, and stretching from Nova Scotia, in an oblong direction, almost to the southern extremity of Pennsylvania, presented many facilities for invasion, and promised to be an important acquisition. Before the affair of Lexington, some individuals of Connecticut formed a project for obtaining possession of Ticonderoga, situated at the north end of Lake George, and Crown Point, near the southern extremity of Lake Champlain, which were the gates to that quarter of Canada. They procured a loan of eighteen hundred dollars of the public money, and having raised two hundred and seventy men of a hardy race, known by the name of Green Mountain Boys, proceeded to Bennington, and placed themselves under the command of a partizan named Ethan Allen. They were unexpectedly joined by Colonel Arnold, who, after the battle of Lexington, received from the Massachusetts congress a commission to raise four hundred men for the capture of Ticonderoga. He agreed to act under Allen, and they proceeded to Lake Champlain, which they crossed with eighty-three men, surprised Captain de la Place, commander of Ticonderoga, in bed, and summoned him to surrender, "in the name of the great Jehovah, and the continental Congress." The fort, with its valuable stores\*, was captured without resistance; Crown Point, which, through neglect, had neither guard nor garrison, surrendered; Skenesborough, a valuable and prosperous iron work and village, was surprised by Allen, and Major Skene, the proprietor, his son, and negroes, were taken prisoners; while Colonel Arnold, with

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26th May.  
Expedition  
against Ca-  
nada under-  
taken.

10th May.  
Capture of  
Ticonde-  
roga.

Crown Point.  
Skenesbo-  
rough;

and the  
sloop En-  
terprise.

\* The stores taken at Ticonderoga were between 112 and 120 iron cannon, from 6 to 24 pounders; 50 swivels of different sizes, 2 ten-inch mortars, 1 howitzer, 1 co-horn, 10 tons of musquet balls, 3 cart-loads of flints, 30 new carriages, a considerable quantity of shells, a warehouse full of materials to carry on boat building, 100 stand of small arms, 10 casks of very indifferent powder, 2 brass cannons, 30 barrels of flour, and 18 barrels of pork. The prisoners were one captain, 1 gunner, 3 sergeants, and 44 rank and file, besides women and children.—Captain de la Place was not brought to a court-martial, but suffered to sell out.

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1775.

Dissimula-  
tion of Con-  
gress.

great spirit and ability, secured the entire command of Lake Champlain, by seizing the sloop *Enterprize*, the only vessel of the royal navy in those parts.

The intelligence of these successes was the first which greeted the continental Congress. None could have been more welcome; for the secret ambition of their leaders was to add the Canadas to their own provinces, and form the whole into one general republic. They were, however, apprehensive of appearing to court active hostilities and change the nature of the war; and therefore all publications in their interest treated the affair as the spirited enterprise of individuals not sanctioned, although not censured; and Congress recommended to the committees of the cities and counties of New York and Albany to cause the cannon and stores to be removed from Ticonderoga to the south end of Lake George, and to take an exact inventory of them, that they might be safely returned when the desired restoration of harmony between Great Britain and the colonies should render it prudent and consistent with the over-ruling law of self-preservation.

26th May.  
Their ad-  
dress to the  
people of  
Canada.

In their address, the Congress spoke a bolder language, described in terms of pity the abject state to which the Canadians were reduced on the arrival of that day in which the sun could not shine on a single freeman in all their extensive dominion. By the introduction of the present form of government, or rather of tyranny, the Canadians with their wives and children were made slaves, subject to be deprived of the fruits of their industry, to be transported into foreign countries, to fight battles in which they had no interest, to spill their blood in conflicts from which neither honour nor emolument could be derived; and to witness the expulsion, banishment, and ruin of their priests, whenever a sufficient temptation was furnished. The chief object of the address was to conciliate the people to the late captures, and deprecate hostile opposition.

13th June.  
Application  
of Arnold.

Animated by his successes, Colonel Arnold solicited from Congress a reinforcement, and promised,

with two thousand men, to reduce the whole province; this hope was encouraged by the feeble state of the British force, which did not exceed eight hundred men.

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The deficiency, in this respect, is ascribed to the too sanguine reliance of the governor, General Carleton, on his influence and on the power of the clergy over the inhabitants, and his having fallen into the common error of undervaluing the enemy. In the abundance of his confidence, he assured General Gage, in the preceding year, that a corporal's command was sufficient for the protection of the province\*. When the invasion was undertaken, he mentioned, in his dispatches, "*one* Benedict Arnold, said to be a native of Connecticut, a horse-jockey; *one* Bindon, a merchant of Montreal; and *one* Ethan Allen, said to be "outlawed in New York." Such thoughts and expressions take from success all pretensions to glory, and embitter defeat by the apparent disgrace of confutation. On the reduction of Ticonderoga and Crown Point, he ordered his small force to St. John's fort, which was prudently strengthened with two redoubts. He tried, without success, the influence over the natives on which he had so firmly depended; and proclaimed martial law, in order to compel them to arm; but, although they declared themselves ready to defend their own province, they refused to march beyond its limits†. General Gage, however, dispatched Brigadier-general Prescott, and two officers of inferior rank, with two ships, to Montreal; and, about the same time, Colonel Guy Johnson arrived with seven hundred warriors of the Five Nations: they proposed the recapture of the forts, which were weakly garrisoned; but General Carleton refused to sanction the attempt.

Exertions of  
General  
Carleton.

July.

Congress took advantage of these exertions to assert that Carleton meditated an incursion on their north-western frontier; and inculcated this opinion as a justification of their conduct in invading the King's

Representa-  
tions of Con-  
gress.

\* Stedman, vol. i. p. 132.

† Ramsay, vol. i. p. 226.

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September.  
Invasion of  
Canada.6th Sept.  
10th.  
St. John's.Address to  
the people.Siege of St.  
John's.Chamblée  
captured.

3rd Nov.

St. John's  
capitulates.

dominions ; thus the plan, which in the beginning of the year was deemed violent and dangerous, was now encouraged by general approbation.

Generals Schuyler and Montgomery, at the head of three thousand men, proceeded to Lake Champlain, took possession of Isle aux Noix, and attacked St. John's, the first British post in Canada, distant about a hundred and fifteen miles to the northward of Ticonderoga : the picquets were driven in, but the invaders were repulsed and obliged to return to Aux Noix. They published a conciliatory address to the Canadians, affirming that the only views of Congress were the restoration to them of those rights to which every subject of the British empire, whatever his religious sentiments, is intitled ; and that, in the execution of these trusts, they had received positive orders to cherish every Canadian and every friend to the cause of liberty, and sacredly to guard their property. They also succeeded in detaching the Indians from the British cause, which was easily effected, as these savages were dissatisfied with the governor's rejection of their services. General Schuyler was obliged by ill health to retire to Ticonderoga ; and Montgomery, having taken precautions for a retreat to Aux Noix, formally besieged St John's.

From the lightness of their artillery, and the insufficiency of ammunition, they made little progress, till the surrender of Fort Chamblée, distant about five miles, which, being besieged by three hundred men, surrendered after fifteen days, although amply provided with means of defence, and no practicable breach made in the walls ; a conquest rendered highly important from the quantity of ammunition and military stores which the commandant neglected to destroy.

Before they obtained this timely succour, the Americans were reduced to their last round of shot, and must soon have been obliged to abandon Canada ; but they now pressed the siege of St. John's with increasing vigour, and, from a deficiency in provisions and ammunition and the failure of any relief, the garrison was soon obliged to capitulate.

An attempt had been already made by Ethan Allen, at the head of a hundred and fifty men, to capture Montreal; but he was defeated by a small party of the twenty-sixth regiment, aided by some natives, and taken prisoner\*. Montreal was, however, unprotected; and General Carleton, after the capture of St. John's, evacuated the town: the inhabitants applying to General Montgomery for terms of capitulation, he answered, they could not expect such a concession, as they were without means of defence, but promised the free enjoyment of their religion and property. Here the Americans found many European necessities and luxuries, which the regulations of Congress had prevented their obtaining in their native provinces; and Montgomery directed the construction of flat-bottomed boats preparatory to the siege of Quebec.

The safety of that city was menaced by a most daring and difficult enterprize. Arnold, on a plan of his own suggesting, was dispatched by General Washington, with fifteen hundred men, to penetrate into Canada, by ascending the Kennebeck, and descending by the Chaundiere to the river St. Lawrence. On their arrival at the Kennebeck, they commenced the arduous toil of working up a river encumbered with rocks and shoals, against an impetuous current; and they were often compelled by cataracts and other impediments to land and drag their batteaux up rapid streams or over falls. Their progress by land was not more exempt from difficulty and danger; thick woods, deep swamps, and precipitous mountains, alternately impeded their march. Sometimes they were obliged to cut their way through forests so embarrassed that their progress did not exceed four or five miles in a day; their provisions were reduced; scarcity and fatigue brought on sickness and desertion; the original troop was diminished by one-third; they devoured

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1775.  
25th Sep.  
Ethan Allen  
taken pri-  
soner.

Nov.  
Montreal  
evacuated.

Expedition  
through the  
wilderness.  
13th Sept.

20th.

\* By Governor Carleton's order, Allen and his fellow prisoners were sent in irons on board a man of war, and conveyed to England: he was, however, remanded to America, and afterward served in the provincial army with the rank of colonel.



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1775.

3rd Nov.

their dogs, their cartouch boxes, and every article of leather about their accoutrements and clothing; when a hundred miles from any habitation, they divided their last store, which afforded four pints of flour for each man, and, while they were yet thirty miles distant from the probability of succour, their last morsel of bread was eaten. Finally, they surmounted every difficulty, and the Canadians with amazement beheld this squalid band emerge from a wilderness which they considered it impossible for human perseverance to penetrate. Conciliated by the behaviour of the invaders, and re-assured by a manifesto which they published by General Washington's direction, the inhabitants treated them with hospitality, and were prepared, if not to assist in their enterprize, at least to regard it without malevolence or alarm\*.

5th Nov.  
Maclean de-  
fends Que-  
bec.

Colonel Maclean, who still remained at the confluence of the rivers Sorrel and St. Lawrence, expecting to be joined by Carleton from Montreal, becoming fortunately apprized of Arnold's arrival, and of his encampment at Point Levy, opposite Quebec, threw himself into the city, and by his judicious measures prevented the effect of that consternation which would have rendered it an easy prey, could the American chief have procured immediate means of passing the river†.

13th.

14th.  
Arnold re-  
pulsed.

Uninformed of this seasonable succour, Colonel Arnold made an attack on the gate of St. Louis, but was repulsed with considerable loss; and the inhabitants of the city being cordially united in defence of their property, and reinforced by sailors from the ships, he became alarmed for his own safety, and withdrew to Point aux Trembles, twenty miles from the capital. General Carleton had been collecting a force to oppose Montgomery; on learning the danger of Quebec, he passed in the disguise of a fisherman through the enemy's craft, and took vigorous measures for confirming and extending the judicious

20th.  
Exertions of  
Carleton.

\* Stedman, Andrews, Ramsay, Washington's Official Letters, vol. i. p. 52.

† Washington's Letters, vol. i. p. 39, 41.

efforts of Maclean: he armed the inhabitants, and expelled from the city all who were not willing to co-operate in its defence.

During this interval, General Montgomery had been employed in recruiting the strength and spirits of his followers, and had acquired considerable ascendancy over the lower class of natives, who were easily seduced to sympathize with colonists like themselves, struggling, as they supposed, for liberty. The clergy were, however, active and resolute in opposing the new doctrines; their influence was considerable, and they extended it by refusing absolution to such as abetted the invaders\*. The nobles, dissatisfied with the state of the province, and without cordial attachment to the British government or to its opponents, supported neither party†. Montgomery, with great address, avoided giving offence even to the clergy; he raised a regiment of Canadians, which he placed under the command of James Livingston, a native of New York: his expresses were permitted to pass in every direction unmolested, and individuals were induced to subscribe liberally in specie for the support of his troops.

This brave officer, having effected a junction with Arnold at Point aux Trembles, summoned Quebec; and, on the rejection of overtures, commenced a bombardment with five small mortars, and opened a battery of six guns at seven hundred yards distance from the walls.

An attack so feeble, and of such light metal, was not calculated to make a sensible impression; and the besieging army was not prepared for the delays and

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1775.  
Judicious  
proceedings  
of Montgo-  
mery.

1st Dec.  
Joins in  
besieging  
Quebec.

State of the  
Americans.

\* General Washington endeavoured to conciliate, or at least avoided irritating them, by forbidding the customary commemoration of the popish plot—the burning of Guy Fawkes. Sparks's Life of Washington, vol. ii. p. 342.

† Gibbon, with his usual force and perspicuity, adverts to these circumstances, in a letter to Colonel Holroyd (Lord Sheffield), dated 14th Nov. 1775. He says, "We are not quite easy about Canada; and even if it should be safe from an attack, we cannot flatter ourselves with the expectation of bringing down that martial people on the back settlements. The priests are ours; the gentlemen very prudently wait the event, and are disposed to join the stronger party; but the same lawless spirit and impatience of government which have infected our colonies, are gone forth among the Canadian peasants, over whom, since the conquest, the nobles have lost much of their ancient influence." Posthumous Works, vol. i. p. 495. Similar statements occur in a dispatch from General Carleton to General Gage, Sep. 16. State Papers.

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misfortunes of protracted operations. Success appeared improbable, and retreat disgraceful: the British empire in Canada was reduced to the single city of Quebec: the fame of former exploits had inspired exaggerated hopes in America, and disappointment threatened fatal results to the common cause. Yet difficulties were daily augmenting; dissensions arose between Arnold and his officers, destructive of subordination; the provincial corps were inflamed with a spirit of mutual animosity, and the men with difficulty induced to pay obedience to officers not belonging to their own colony; their numbers were insufficient for proper reliefs in their daily toils; and, as the expiration of their military engagements approached, the general was apprehensive that many would quit the service. The severity of a Canadian winter was already felt; the troops had no effectual protection against its rigours; their cash was nearly expended; the Congress paper had no circulation in Canada; and the natives began to show their fickleness, by a total disregard of the invaders.

31st Decem-  
ber.  
Assault of  
the city.

In this situation, Montgomery adopted the daring resolution of trying the fortune of an escalade. Two feints were made at Cape Diamond and St. John's gate, and two determined attacks, separately led by Montgomery and Arnold, under Cape Diamond, by Drummond's wharf and the Potash. The whole proceeding on the part of the besiegers betrays rashness and confusion: the signals of attack were given before the troops were in a due state of preparation; hence the feints were detected in sufficient time to enable the British general to concentrate his forces at the real points of assault.

Montgomery  
killed.

General Montgomery, at the head of nine hundred men, advanced intrepidly along a defile, upon a narrow path, between two fires, with a precipice to the river on one side, and a hanging rock over head. His approach was awaited with calmness and resolution, and when he was within fifty yards of the point of attack, a tremendous discharge of grape-shot put an end to his hopes and his life. His followers, undismayed, returned to the charge; but, convinced, by repeated

repulses, that ultimate success was unattainable, sought safety by retreat.

Colonel Arnold made his attack with seven hundred men at the Saut des Matelots, and dispersed the Canadian guard; he received a wound in the leg, and was obliged to retire; but his party was advancing with prospects of success: they took the first and second barriers after an obstinate resistance, and against the third a ladder was already placed to convey them into the town, when they were encountered by the combined force of the garrison, which, after the defeat of Montgomery's division, united against them. Yielding to superior numbers, they attempted to retreat in vain, and were obliged to surrender.

The English sustained but inconsiderable loss; the Americans, in killed, wounded, and prisoners, were deprived of half their men; yet Arnold did not abandon the province; he encamped on the heights of Abraham, where, by obstructing the supplies, he changed the siege to a blockade. The horrors of war were, however, softened by mutual acts of civility; the prisoners were treated with kindness, and permitted, on their parol, to attend the funeral of their departed leader, while the wounded received ample relief.

The name of Montgomery was mentioned with respect by his most determined opponents: the Americans deplored his fate with all the warmth of patriotic attachment, and the animation excited by the circumstances of his fall; and those in England who participated in the sentiments of the Americans, spoke of him in terms not only expressive of their sense of his merits, but incompatible with an attachment to the cause of their country\*.

In tracing the progress of those discontents which united all America in one common cause, and com-

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1775.  
Arnold  
wounded.

His division  
taken prison-  
ers.

Siege con-  
verted to a  
blockade.

Eulogies of  
Montgomery.

\* See Parliamentary Register, vol. iii. 402.—General Montgomery was of a respectable family in the North of Ireland; he was educated at school, and the University in Dublin; he had served with reputation in America during the preceding war, and had obtained the rank of captain in the 17th regiment of foot; he quitted the service in disgust, and married a lady of a considerable family in the province of New York; he had been beloved and esteemed through life.

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XXVI.

1775.

Transactions  
in Virginia.

bined thirteen discordant and rival governments in one general legislation, it is necessary to describe some transactions in various colonies, till all difference of conduct had ceased.

Virginia had been conspicuous in the course of the American disturbances, and its councils seemed entirely influenced by popular demagogues, among the most conspicuous of whom was Patrick Henry\*. Lord Dunmore, the governor, had, in the early part of his government, been highly popular, but was now the object of disgust, from his efforts to maintain the royal authority, and from the publication of his correspondence with Lord Dartmouth, which was laid before Parliament. In these dispatches, he had, with greater freedom than was acceptable to those over whom he presided, analyzed their views in impeding the course of justice, and examined their means of giving permanence to their present engagements. He imputed to them motives of extreme baseness, and insidious duplicity of conduct. Wisdom should have prevented the full communication of these letters; but, in making such disclosures, ministers are rarely able to guard them with sufficient jealousy, without reducing the information afforded to a mere nullity†.

\* See chapter ix.

† See Lord Dunmore's letters to Lord Dartmouth, Parliamentary Register, 1774-5, vol. i. pp. 85, 185. The following passages were peculiarly offensive: "There is not a justice of peace in Virginia that acts, except as a committee-man: the abolishing the courts of justice was the first step taken, in which the men of fortune and pre-eminence joined equally with the lowest and meanest. The general court of judicature of the colony is much in the same predicament; for though there are at least a majority of his Majesty's council, who, with myself, are the judges of that court, and would steadily perform their duty, yet the lawyers have absolutely refused to attend, nor indeed would the people allow them to attend, or evidences to appear. The true cause of so many persons joining in so opprobrious a measure, was to engage their English creditors, who are numerous, to join the clamours of this country; and not a few to avoid paying the debts in which many of the principal people here are much involved. Every step which has been taken by these infatuated people must inevitably defeat its own purpose. Their non-importation, non-exportation, &c. cannot fail, in a short time, to produce a scarcity, which will ruin thousands of families: the people, indeed, of fortune, supply themselves and their negroes for two or three years; but the middling and poorer sort, who live from hand to mouth, have not the means of doing so; and the produce of their lands will not purchase those necessaries (without which themselves and negroes starve) of the merchants who may have goods to dispose of, because the merchants are prevented from turning such produce to any account. As to manufacturing for themselves, the people of Virginia are very far from being naturally industrious; and it is not by taking away the principal, if not the only, encouragement to industry, that it

The planters assailed Lord Dunmore with invective, and insinuated that he had formed a conspiracy to murder Mr. Randolph, the speaker of the assembly. As the people of Virginia had formed a convention, elected deputies to Congress, and were, like other colonies, training a militia to oppose the British government, Lord Dunmore removed part of the powder from the magazine at Williamsburg, and placed it on board a ship of war, to which he averred it belonged. A military force immediately assembled under Patrick Henry, and a negotiation was finally arranged, by which a sum of money was obtained from the public treasury, as a compensation for the powder. The violence of these proceedings induced his lordship to remove his lady and family on board the Fowey man of war, to fortify his palace, and surround it with artillery. He also issued a proclamation, charging Henry and his followers with rebellious practices, and accusing them of a design to change the form of government; meetings were held in all parts of the province, and the public mind was inflamed by invective, accusation, and recrimination.

Such was the state of the colony when the general assembly was convened for the purpose of debating on Lord North's conciliatory propositions. The governor recommended them to consideration, in a temperate and judicious speech, and they were acceded to by the council. The assembly returned a long address, denying the right of the British Parliament to intermeddle with the support of civil government in the colonies, refusing to incur a perpetual tax, adequate to the expectations, and subject to the disposition of Parliament alone, and claiming, as a right, a free trade with the whole globe. They referred the final decision to the general Congress, and committed their injuries to the even-handed justice of that Being who doeth no wrong.

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1775.

Contest of the  
people with  
the governor.  
20th April.

May.

1st June.  
Lord North's  
propositions  
rejected.

14th.

"can be excited; nor is it in times of anarchy and confusion that the foundation  
"of such improvements can be laid. The lower class of people too well discover  
"that they have been duped by the richer sort, who, for their part, elude the whole  
"effects of the association by which their poor neighbours perish."

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1775.

Lord Dun-  
more retires  
on board a  
man of war.  
8th of June.

Before the receipt of this address, several messages had passed, relative to the state of the magazine and the removal of military stores; and the public fermentation was so excessive, that his lordship thought it necessary for his safety to join his relatives on board the Fowey. The immediate motive of this measure was an intimation of an intention to assassinate him and his whole family; but this, it is said, was a mere contrivance of the popular leaders, to embarrass government by his absence.

Assembly  
adjourned.

A series of messages ensued, in which the assembly assured Lord Dunmore of personal safety and respect, if he would return to Williamsburg; a measure which he resolutely declined, but offered to transact all public business on board the Fowey, or to return on shore, if the legislature would remove their sittings to York, about twelve miles distant from the capital. This proposal was indignantly rejected by the assembly, and his lordship's message voted a high breach of privilege; they declared their apprehensions of a dangerous attack on the unhappy people of the colony, and that it was their duty to prepare for the preservation of their property, and their inestimable rights and liberties: they made general professions of loyalty to the King, and then adjourned. A provincial convention of delegates was immediately convened, and the royal government entirely superseded.

18th June.  
Convention  
of delegates.

Lord Dun-  
more as-  
saulted.

When the popular commotions had in some degree subsided, Lord Dunmore, accompanied by several officers of the Fowey, ventured on shore, at his plantation on the banks of York river, about two miles from Williamsburg. In a short time, he received notice that a party of riflemen were approaching to seize his person, regained his boat with precipitation, and was fired at in his retreat, but sustained no injury.

He carries  
on a preda-  
tory war.

Convinced that moderate measures would not be productive of beneficial effects, he sent his lady and family to England, repaired to the town of Norfolk, at the mouth of Chesapeake Bay, and collected a small naval force for the purpose of acting hostilely against

Virginia. His resources were inadequate to his enterprize; a predatory war was for some time carried on; the colonists destroyed the houses near the coast, and drove away the cattle; and he was foiled in an attempt to burn the town of Hampton. He then issued a proclamation, declaring the law insufficient for the punishment of traitors, and therefore establishing martial law, and requiring all persons capable of bearing arms to join the royal standard; and all indented servants and slaves belonging to rebels, and obeying this invitation, were declared free.

In such a colony as Virginia, this measure might have produced an extensive and tremendous effect, had it been resorted to at an earlier period of the dispute; but, six months having elapsed since Lord Dunmore first threatened its adoption, the negroes had ceased to believe and the planters to fear; it produced no surprise; the country was in a state of defence, the royal authority much reduced, and the governor's protection problematical; but the fury of the colonists was increased to frenzy; and their union cemented by a proceeding which rendered accommodation impossible. Lord Dunmore gained an accession of some hundred adherents, white and black; but they came only from the vicinity where he was established; in all other parts, the certainty of being intercepted prevented their attempting to join him.

He erected the royal standard at Norfolk, and many of the inhabitants, to preserve their slaves, abjured the Congress. Fearful of an extension of his influence, the insurgents detached about a thousand men from the western side of Virginia, who intrenched themselves opposite to the governor, on the other side of the river Elizabeth, near a village called the Great Bridge, expecting to oblige the royalists to abandon their post. Before they had been many days in this position, Lord Dunmore, deceived perhaps by false reports contrived for the purpose, ordered Captain Fordyce, with a detachment of a hundred and twenty men, to dislodge them. This project was pursued with equal boldness and caution; but the provincials were

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25th Oct.

7th Nov.  
Proclaims  
martial law.

Emancipates slaves.

Effects of  
this measure.

Royal standard erected  
at Norfolk.

Dec.

9th Dec.  
Failure at  
the Great  
Bridge.



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prepared; and, as he proceeded along a causeway skirted by a thicket, near the intrenchments, Fordyce was at once assailed with a heavy fire from the thicket and the works. He fell within a few feet of the breast-work, and his party, seeing the enterprize impracticable, were obliged to retreat, with the loss of thirty killed and wounded.

Town of  
Norfolk  
burned.

1st Jan.  
1776.

Lord Dun-  
more aban-  
dons the  
colony.

In consequence of this failure, the governor was again obliged to retire on board ship, attended by the liberated slaves and the loyal inhabitants, whose numbers now became seriously injurious, by consuming the provision, and crowding the vessels. The Americans had taken possession of Norfolk, and as their riflemen prevented Lord Dunmore from obtaining supplies, he set fire to the wharfs where they principally annoyed him, and the whole town of Norfolk, one of the most flourishing on the shores of the Chesapeake, containing eight thousand inhabitants, was burnt to the ground. The efforts of the enemy were still successful in impeding supplies; distress daily increased; sickness prevailed, particularly among the negroes; and, finally, Lord Dunmore, after sending the slaves to Florida, Bermuda, and the West Indies, quitted for ever the shores of Virginia, and joined the British army under General Howe.

Project of  
Connelly.

It was justly considered essential to the existence of the British power in America, that possession of Virginia should be retained\*, and every effort was made for that purpose. One of the most important was a project communicated by Mr. Connelly, a native of Pennsylvania, to Lord Dunmore, and approved by General Gage, for attacking Virginia and the other southern colonies on their back and inland parts, where the people were known to be strongly attached to the British government. The garrisons at Detroit, and some other remote posts, with their artillery and ammunition, were to have assisted; and hopes were entertained of engaging the Canadians and Indians in the cause. Connelly, who had received a commission

\* Washington's Official Letters, vol. i. p. 62 to 64.

as Colonel-Commandant, prosecuted his scheme with vigour and address, when he was betrayed by his confidential assistant\*, seized, loaded with irons, and sent to Philadelphia, where he was treated with extreme severity. His papers and plans were published, and the cause of Congress was thus doubly served, by the frustration of the enterprize, and the opportunity of making the people believe that Providence interposed in their behalf.

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He is betrayed, and the enterprize frustrated.

In North Carolina, Mr. Martin was driven from the government by measures nearly similar to those practised against Lord Dunmore; he was accused of insulting the rights and liberties of the people, and instigating the negroes to insurrection. The governor's refutation of these charges was couched in language so forcible, that the provincial convention showed their indignation by ordering it to be burnt by the hands of the common hangman. A dispute afterward arose relative to some cannon; but the insurgents were awed by the vigorous and determined conduct of the governor. Still, as their party was constantly augmenting, and the royal authority proportionately on the decline, Mr. Martin was ultimately obliged to retire on board a ship of war at Cape Fear.

North  
Carolina.

1st June  
1775.

The governor driven away.

In South Carolina, similar disturbances produced similar effects; Lord William Campbell was governor, but his authority was of little avail when counterpoised by that of Henry Laurens, president of the provincial Congress. In an address from that body, signed by him, the grievances imposed by Great Britain were adverted to; it was declared, that when ordinary modes of application for redress had been found ineffectual, recourse must be had to those which were extraordinary; all love of innovation was disclaimed; and it was declared that they had been impelled to take up arms solely in defence of their lives and properties. The principles and complaints which formed the basis of these resolutions had been promulgated in a pam-

South Caro-  
lina.

July 2nd.

\* Washington's Official Letters, vol. i. pp 42, 65, 82, 85.

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July 2.

July 23.

phlet, by William Drayton, a member of the council, who was in consequence prosecuted and suspended. Under the new aspect of affairs, and aided by decrees of the provincial Congress, he assumed authority never possessed by any individual. Accompanied by Thomas Corbet and James Neufville, he forced an entrance into the post-office, and seized and carried away twenty-six packets, directed to different governors and to military and civil officers, and prevented the mail from going to Georgia, the province which had not yet sent delegates to Congress. To support these violences, they had voted a military levy, and the sum of a million of dollars for their pay; parochial committees were empowered to take enquiry of, and re-question persons who should presume to violate or refuse obedience to the authority of Congress, and to declare them *objects of the public resentment*, or, in other words, to be treated as *enemies to the liberty of America*. The committee cited before them persons in high official situations, and, on their refusal to appear, so stigmatised them that they were obliged to quit the province; they even, in the most unjust and violent manner, passed sentence of death on a free negro, on the mere rumour of a plot, and he suffered without the slightest evidence. These tyrannical proceedings aroused the indignation of the considerate and respectable portion of the community; but they were in number the minority; and in action slow and hesitating; timid in respect of their property; and vigorous only in private professions, declarations of loyalty, and expressions of hope and confidence. In conclusion, Lord William Campbell was obliged, after vainly endeavouring to rally a royalist party, to follow the example of Lord Dunmore, and seek safety on ship-board\*.

Ascendancy  
of Congress.

Without separately detailing the transactions of each of the colonies, it may suffice to say that the royal government was now reduced to a mere name; the Congress, favoured by dissimulation, enterprize, and ac-

\* State Papers, according to the dates.

cident, having acquired a decided ascendancy. Every circumstance which, by the most strained construction could be rendered serviceable to their cause, was ostentatiously advanced; falsehood was often employed in recommending their own proceedings, and vilifying those of their opponents; and more frequently those perverse misrepresentations which are more iniquitous than direct falsehood, as they enable those who use them to triumph while undetected, and when their artifices are disclosed, to shelter themselves under the double sense of the word. The royalists acted feebly, and, in general, with integrity; they were often overpowered by violence, overawed by clamour, or teased into silence by repeated efforts of chicane. The southern colonies might have been kept in subjection by an inconsiderable military force; application was made to General Gage, from Sir James Wright, governor of Georgia; but, intelligence having been given to some of the agents of Congress, the messenger was way-laid, his letters seized, and another man forwarded with dispatches of a contrary tendency so nicely forged as to deceive the person to whom they were written\*.

Toward the close of the year, General Gage was recalled, and the chief command devolved on Sir William Howe. The Massachusetts and continental Congresses granted letters of marque against British vessels, and they took many, laden with military and naval stores and provisions; captures no less beneficial to them than prejudicial to their opponents, who were obliged to draw all their subsistence at an immense expense from England. These enterprises were conducted with skill, judgment, and bravery. The letters of marque were accompanied with instructions from General Washington, to cruise against vessels bound to or from Boston, loaded, or suspected to be so, with soldiers, arms, or implements of war, for the use of the ministerial army; and the distribution of prize-

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10th Oct.  
Gage re-  
called  
November.  
Americans  
issue letters  
of marque.

\* Ramsay, vol. i. p. 256.

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18th Oct.  
Falmouth  
destroyed.General  
view.

money was regulated. It was found that defenceless vessels could not, without the greatest difficulty, enter the harbour of Boston while the rebel privateers infested the bay, and had the advantage of many inlets on the coast, where His Majesty's ships could not pursue them; nor could they blockade the several ports which afforded protection to the Americans without a land force, which could not be spared\*. In the course of predatory hostilities, the town of Falmouth, in the northern part of Massachusetts, was cannonaded by a ship of sixteen guns, and utterly destroyed. Several sea-port towns were deserted; but, far from showing a disposition to submit, Congress resolved to oppose Great Britain by sea, and issued orders for building five vessels of thirty-two guns, five of twenty-eight, and three of twenty-four.

On the whole, the transactions of the year 1775 were productive of most unfortunate results to the British cause, and most animating to the Americans. Measures which were relied on by the ministry as certain to operate by terror and coercion, were met with firmness, and evaded, or rolled back with address and dexterity; conciliatory propositions were rejected; and the Americans displayed a consummate proficiency in political intrigue, by appearing to retain sentiments of loyalty, while their conduct evidently indicated a determination to renounce all subjection to the mother-country. They contrived to advance with rapid steps in the path of revolt, yet to make Great Britain constantly appear the aggressor; and to retain the pretence of a pacific disposition, while they withstood every offer which had a tendency to terminate the subsisting differences. Their military operations were uniformly calculated to inspire confidence and animate enterprize: even the expedition into Canada, although not in every part fortunate, was prosecuted with so daring a spirit, and frustrated by the failure of so gallant an attempt, that the Americans felt more pride as

\* Letter from General Howe to Lord Dartmouth, 3rd December. State Papers.

sharers of the glory of Montgomery, than mortification in the disappointment, which only showed that they could not, without considerable exertion, wrest from Great Britain the chief conquest reserved as an indemnity for the toils and expenses of the late war\*.

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\* For this chapter, beside the authorities quoted in support of particular passages, I have consulted the periodical publications; the histories of the American War, by Stedman and Ramsay; Morse's American Geography; and the Remembrancer; and I have been assisted by very respectable manuscript observations on them.

## CHAPTER THE TWENTY-SEVENTH.

1775—1776.

Proceedings in the city of London.—Address to the King.—

His answer.—Contest respecting the right of presenting petitions to the King on the throne.—Address of Congress to the people of Great Britain—to the people of Ireland.—Proclamation against rebellion.—Petition of Congress to the King.—Answer from the Secretary of State.—Effects of the answer.—Popularity of the measures of government.—Transactions in Parliament till the Christmas recess.—King's speech.—City petition presented by Lord Camden.—Petition from the assembly of Nova Scotia.—Opposition to the address in both houses.—Protest.—Debates on the employment of foreign troops in garrisons.—Bill of indemnity.—Motion of censure—both rejected.—Bill for assembling the militia.—Estimates.—Motion by the Duke of Grafton.—Land tax fixed at four shillings in the pound.—Nova Scotia petition.—Debate on that of Congress to the King.—Mr. Penn examined as a witness.—The Duke of Richmond's motion.—Burke's conciliatory bill—opposed by Governor Pownall—rejected.—Hartley's propositions—rejected.—Bill for prohibiting commercial intercourse with America—debated in the Lords—passed.—Recess.—Changes in administration.—Lord George Germaine secretary of state for America—his character.—Other changes.—Dependancy of administration.

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Proceedings  
in the city of  
London.

UNDER the mayoralty of Mr. Wilkes, the city of London seemed largely to participate in the sentiments which produced such alarming commotions in America. The majority of individuals was friendly to government; but an active and turbulent minority endea-

voured by every intrigue to make the proceedings of the city councils assume a factious appearance.

In consequence of the acts of Parliament relative to America, the Livery presented to the King an address, remonstrance, and petition, censuring all the late measures, not merely with plainness and freedom, but with acrimonious asperity. "Not deceived," they said, "by the specious artifices of calling despotism dignity, they plainly perceived a real design to establish arbitrary power over all America; and, considering the liberties of the whole inevitably connected with every part of an empire founded on the common rights of mankind, they were alarmed at seeing the constitution violated in any part of the King's dominions." Numerous grievances, they said, had driven his Majesty's faithful subjects in America to despair, and compelled them to a resistance justified by the great principles of the constitution, in consequence of which, the crown was transferred from the popish and tyrannical race of Stuarts, to the illustrious and protestant house of Brunswick. Persuaded that these measures originated in the secret advice of men, enemies alike to his Majesty's title and the liberties of the people; that the ministry carried them into execution by the same fatal corruption which had enabled them to wound the peace and violate the constitution of the country, poisoning the fountain of public security, and rendering that body, which should be the guardian of liberty, a formidable instrument of arbitrary power, they prayed the King, as a first step toward a redress of grievances which alarmed and affected the whole nation, to dismiss his ministers for ever; so should peace and commerce be restored, and confidence and affection be the supporters of the throne.

The King's answer testified his astonishment that any of his subjects should encourage the rebellious disposition existing in America; relying, however, on the wisdom of Parliament, the great council of the nation, he would steadily pursue the measures recommended by them for support of the constitutional rights and protection of the commerce of Great

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1775.  
10th April.  
Address to  
the King.

His answer.



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Message to  
the Lord  
Mayor.  
Wilkes's  
answer.

Britain. The Lord Mayor was prevented from replying by an intimation from the Lord in waiting.

In a few days after this interview, the Earl of Hertford, Lord Chamberlain, signified to the Lord Mayor the King's determination not to receive, on the throne, any address, remonstrance, or petition, but from the body corporate. Mr. Wilkes eagerly seized the opportunity thus afforded of raising a new contest. In a long letter, he insisted on the right of the city, "a right which even the accursed race of Stuarts had respected, to present petitions to the King on the throne; and hoped that a privilege left uninvaded by every tyrant of the Tarquin race, would be sacredly preserved under a Prince of the house of Brunswick, whose family was chosen to protect the liberties of a free people, whom the Stuarts had endeavoured to enslave."

24th June.  
Proceeding  
of the com-  
mon hall.  
Remons-  
trance  
voted.

At the first common hall, an address, remonstrance, and petition, in many respects an echo of the last, but rather exceeding it in violence, was approved; the ministry were described as men *avowedly* inimical to the principles on which the King possessed the crown; and the Parliament as a body of whom the majority were notoriously bribed to betray their constituents and the country: the ministers were therefore to be dismissed, and the Parliament dissolved. The correspondence between the Lord Mayor and Lord Hertford was entered on the city records, and the sheriffs instructed to inquire when the King would receive, *on the throne*, this address, presented by the Lord Mayor, the city members, the court of aldermen, sheriffs, and livery. The King having offered to receive it at the next levee, Mr. Plomer, one of the sheriffs, declared the resolution of the Livery not to present it unless the King would receive it sitting on the throne. "I am ever ready," his Majesty rejoined, "to receive addresses and petitions, but I am the judge where." The substance of this conference was reported to the Livery, resolutions adopted, and conveyed to the King, asserting that his answer was a direct denial of the right of the court to have their

28th June.  
The King  
refuses to  
receive it on  
the throne.

4th and 5th  
July.  
Further pro-  
ceedings.

petitions heard; that the remonstrance should be printed in the public papers, and the city members instructed to move for an impeachment of the evil counsellors who planted popery and arbitrary power in America, and were the advisers of a measure so dangerous to his Majesty's happiness and the rights of the people, as that of refusing to hear their petitions. An address subsequently voted by the common council, couched in moderate and respectful terms, and praying the King to suspend operations of force against America, obtained a gracious reception, and a mild, though un-complying answer.

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7th.

14th.

The American Congress availed themselves of the disposition in the city of London to render their cause popular, and exerted their endeavours to obtain partizans in every part of the King's dominions, or at least to render as many as possible indifferent to the interests of government. They circulated a long, elaborate, and insidious address to the inhabitants of Great Britain, appealing at once to their pride, justice, and compassion; exculpating themselves, and endeavouring to alarm the jealousy of Englishmen for their constitutional rights, which would be no less endangered by success, than their prosperity would be impaired by a failure in hostilities. They justified their opposition to military force, by alleging that they were wantonly attacked; but although they repelled assaults and returned blows, yet they lamented the wounds they were obliged to inflict; nor had they learned to rejoice at a victory over Englishmen. They denied aspiring at independency, but declared they would only treat on such terms as would render accommodation lasting; calling God to witness that they would part with their property, endanger their lives, and sacrifice every thing but liberty, to redeem Great Britain from ruin.

Address of  
Congress to  
the people  
of Great  
Britain.  
8th July.

An address was also made to the people of Ireland, designed, from similarity of situation, to produce congeniality of sentiment. The measures of the reign were decried as indicating that the genius of England and the spirit of wisdom had withdrawn from the British councils, and left the nation a prey to a race

28th.  
To the  
people of  
Ireland.

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of ministers, with whom the ancient English honesty and benevolence disdained to dwell; from that period, jealousy, discontent, oppression, and discord, had raged among all his Majesty's subjects, and filled every part of his dominions with distress and complaint. They deplored the necessity of renouncing their commercial connexion with Ireland, from whose Parliament they had received no injury, and whose people had ever been friendly to the rights of mankind; but on the other hand, the labours and manufactures of Ireland, like those of the silk-worm, were of little moment to herself, serving only to give luxury to those who neither toil nor spin; and should the resolutions of Congress occasion much distress, the fertile regions of America would afford a safe asylum from poverty, and, in time, from oppression. In this address, reconciliation was mentioned as desirable, but independence was never disclaimed: on the contrary, Congress anticipated the golden period when liberty, with all the gentle arts of peace and humanity, should establish her mild dominion in the western world, and erect eternal monuments to the memory of those virtuous patriots and martyrs who fought, bled, and suffered in her cause.

23rd Aug.  
Proclama-  
tion against  
rebellion.

The progress of hostilities, and the appearance of an intercourse with the American leaders, induced government to issue a proclamation for suppressing rebellion, and preventing traitorous correspondence\*.

1st Sept.

At this juncture Richard Penn arrived from America, with a petition from Congress, and, accompanied by Arthur Lee, a resident agent, presented it to the King.

Petition of  
Congress to  
the King.

This paper was drawn with great art, and comprised many appearances of a conciliatory disposition: could it have been examined apart, and unconnected with the transactions in America, which were sanctioned by Congress, and their declarations to the people of Great Britain, Ireland, Canada, and Jamaica, it

\* On the publication of this proclamation at the Royal Exchange, Wilkes showed his factiousness by causing it to be read by one of his officers, accompanied only by the common crier; they were not allowed horses, as usual on such occasions, nor was the mace permitted to be carried; the proclamation was received with a general hiss. Annual Register, 1775, p. 149.

might have afforded hopes of an amicable adjustment. The King was addressed in respectful and endearing terms; and his magnanimity invoked to give the most favourable construction to the expressions of the petitioners. They solemnly assured him that they most ardently desired a restoration of harmony between the mother-country and her colonies, and the establishment of concord on so firm a basis as to perpetuate its blessings, uninterrupted by future dissensions, to succeeding generations, and transmit his Majesty's name to posterity, adorned with the signal and lasting glory attending the memory of those illustrious personages whose virtues and abilities have extricated states from dangerous convulsions, and, by securing happiness to others, erected the most noble and durable monuments to their own fame. They therefore besought his Majesty to use his influence and authority in procuring them relief from their afflicting jealousies and fears, and to settle peace through every part of his dominions; with all humility submitting to his Majesty's consideration the expediency of directing some mode by which the united applications of his faithful colonists to the throne, in pursuance of their common councils, might be improved into a happy and permanent reconciliation\*; and that, in the mean time, measures might be adopted for preventing further destruction of lives, and such statutes as more immediately distressed the colonies might be repealed. By arrangements for collecting the united sense of the American people, his Majesty would receive such satisfactory proofs of their

\* The explanation of this clause is given by Ramsay; History of the American Revolution, vol. i. p. 213. Congress meant, he says, that the mother-country should propose a plan for establishing, by compact, something like Magna Charta for the colonies. They did not aim at a total exemption from the controul of Parliament, nor were they unwilling to contribute, in their own way, to the expenses of government; but they feared the horrors of war less than submission to unlimited parliamentary supremacy. They wished for an amicable compact, in which doubtful, undefined points, should be ascertained, so as to secure that proportion of authority and liberty which would be for the general good of the whole empire. They fancied themselves in the condition of the barons at Runnymede; but with this difference, that in addition to opposing the King, they had also to oppose the Parliament. This difference was more nominal than real; for, in the latter case, the King and Parliament stood precisely in the same relation to the people of America, which subsisted in the former between the King and people of England. In both, popular leaders were contending with the sovereign for the privilege of subjects.

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4th.  
Answer.Effect of the  
answer.

disposition, that the wished-for opportunity would be soon restored, of evincing the sincerity of their professions, by every becoming testimony of devotion.

To this petition the Earl of Dartmouth, in the King's name, informed the agents of Congress that no answer would be given.

Immediate advantage was taken of this repulse to encourage the friends of Congress; to fix the wavering, and give resolution to the timid. Such, in fact, must have been the view of the individual who framed\*, and the body who adopted, the address: they knew that neither the King nor Parliament could acknowledge them as a body legally constituted; nor could the ministry, after the late transactions, recede from the measures they thought proper to enforce, without an appeal to the people through their representatives. The Congress, a body constituted in defiance of the King's commands, raising armies and levying taxes, for the express purpose of oppugning his authority and that of the British legislature, approached the throne with the exterior of respect, but without alleging any urgent occasion for their assembly, and holding themselves fully competent, not only to treat, but even to dictate terms; for the King was required, before the adoption of measures for facilitating a conference on the nature of grievances, to use his influence in obtaining a repeal of all statutes which distressed the colonies. It was not possible to discuss such a proposal with hopes of ultimate success; and, without such a motive, it would have been base and feeble to sanction the acts or petitions of a body, constituted as the Congress was, glorying in the success of armed resistance, and demanding concessions without apology for the past, or reciprocal engagement for the future. The rejection of this artful petition being doubtless anticipated, it fully answered the view of its authors; and less artifice than they possessed was necessary to make it appear that hostile measures alone could satisfy the pride and rage of the British nation.

\* Mr. Dickinson, author of several celebrated political tracts. Ramsay's History of the American Revolution, vol. i. p. 213.

Under these constructions, the rejected petition contributed to the union and perseverance of the colonies. "When pressed by the calamities of war," an American writer observes, "a doubt would sometimes arise in the minds of scrupulous persons, that they had been too hasty in their opposition to their protecting parent-state. To such, it was usual to present the second petition of Congress to the King, observing, that all the blood and guilt of the war must be charged on British, not on American, councils\*."

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Although the subsequent events, and termination of the American contest have afforded opportunities of repeating and enforcing the arguments used by the adherents of Congress, they made, at the time, no considerable impression. The cause of the mother-country was generally popular, because considered just; the war was not dreaded; the American arms were rarely successful, except through our own mismanagement; and the nation reposed just confidence in the exertions of British valour. The ministry showed a due portion of spirit and perseverance; the large demands attending the beginning of warfare gave energy to commerce; and loyal addresses, unsolicited and unexpected, were sent from all parts of the kingdom†.

Popularity  
of the mea-  
sures of go-  
vernment.

In his speech from the throne, the King amply detailed to Parliament the state of America. Those who had too successfully laboured to inflame the people, by gross misrepresentations, now openly avowed their

26th Oct.  
King's  
speech in  
parliament.

\* Ramsay's History of the American Revolution, vol. i. p. 213. The author was connected by marriage with the family of the well-known Laurens, and was from 1782 to 1786 a member of Congress.

† Gibbon states this fact in a letter to Mr. Holroyd (Lord Sheffield), dated 14th October, 1775. He says, "Another thing that will please and surprise, is the assurance which I received from a man, who might tell me a lie, but who could not be mistaken, that no arts or management whatsoever have been used to procure the addresses which fill the gazette, and that Lord North was as much surprised at the first that came up, as we could be at Sheffield." Addresses were presented from both Universities. At Cambridge, the opponents of government relied on what they termed the Whig character of their body, and entertained hopes that "the pride which is sometimes not an useless guardian to virtue, would take alarm at their being called upon to play second fiddle to the Tory University of Oxford;" but, notwithstanding every effort, the address was carried. An account of the matter, not untinged with party colouring, is in the Anecdotes of Dr. Watson, Bishop of Landaff, vol. i. p. 88 to 94.

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revolt, hostility, and rebellion. They had raised troops, and were collecting a naval force; they had seized the public revenue, and assumed to themselves legislative, executive, and judicial powers, which they exercised in the most arbitrary manner over the persons and properties of their fellow-subjects; and although many might still retain their loyalty, and be too wise not to see the fatal consequence of this usurpation, and wish to resist it, yet the torrent of violence had been strong enough to compel their acquiescence till a sufficient force should appear for their support. The authors and promoters of this desperate conspiracy had derived great advantage from the difference of the King's intentions and their own. They meant only to amuse by vague expressions of attachment to the parent-state and protestations of loyalty, while preparing for a general revolt. On his part, though it was declared in the last session that a rebellion existed in the province of the Massachusetts Bay, yet even that province he wished rather to reclaim than subdue. The war was become more general, and was manifestly carried on for the establishment of an independent empire. It was now the part of wisdom, and (in its effects) of clemency, to put a speedy end to such disorders, by decisive exertions. He had received the most friendly offers of foreign assistance; and had sent to the garrisons of Gibraltar and Port Mahon part of his electoral troops, that a larger portion of the British forces might be applied in maintaining its authority; and the national militia might give a farther extent and activity to military operations. His Majesty professed readiness to receive the misled and deluded multitude with tenderness, whenever they should become sensible of their error; and, in order to prevent inconvenience from distance, and remove their calamities as soon as possible, he would give a discretionary authority to persons on the spot to grant general or particular pardons and indemnities, and receive the submission of any province or colony disposed to return to its allegiance. He suggested the propriety of authorising the persons so commissioned

to restore such provinces or colonies to the free exercise of trade, and the same protection and security as if they had never revolted ; and informed both Houses, that, from the assurances received, and the general appearance of affairs in Europe, he saw no probability of impediment to his measures by disputes with any foreign power.

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Before any motion was made on the King's speech, Lord Camden took the very unusual course of presenting a petition to the House. It was from the Lord Mayor and Common Council of the city of London, expressing alarm at the late proceedings with respect to America, which, uncertain as they were in their effect, must be productive of new and burthensome taxes, increase our enormous national debt, and occasion the loss of the most valuable branch of our commerce. As his Majesty had, in answer to a late address, declared that he should abide by the sense of Parliament, they besought the House to adopt speedy, permanent, and honourable measures for healing the present unhappy disputes. City petition.

The Lord Chancellor censured the proceeding of Lord Camden, as a departure from the usual respectful mode of abstaining from other business until the King's speech had been taken into consideration ; but, as the established complimentary practice had been violated, he would also present an address, petition, and memorial, from the General Assembly of Nova Scotia. The petitioners professed, in terms of dutiful humility, their acknowledgment that the King, Lords, and Commons of Great Britain, were the supreme legislature of that and all the British provinces in North America, and confessed an indispensable duty to pay a just proportion of the expenses of the empire ; but suggested modes in which the contribution ought to be imposed and levied, and suggested many grievances which demanded redress ; and many improvements in legislation, finance, and judicial administration, which were required by justice and a regard to the public good. Nova Scotia petition.

Both petitions having been laid on the table, an



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Address pro-  
posed.Amendment  
moved.

address was proposed by Lord Viscount Townshend, and seconded by Lord Viscount Dudley. The Marquis of Rockingham moved an amendment, in which the conduct observed toward America was censured as tending to tarnish the lustre of the British arms, and to nourish, without hope of end, a most unhappy civil war. It deprecated the dangerous and alarming expedient of calling in foreign forces to support his Majesty's authority within his own dominions, and the still more dreadful calamity of shedding British blood by British hands.

In the debate, the Earl of Dartmouth asserted that the late proceedings had been unsuccessful from causes not to be anticipated ; and Lord Gower avowed that administration had been misled, and pursued a system inadequate to the nature and extent of the service. The accounts received from the southern provinces led to this mistake ; New York had been over-awed and forced by a party of insurgents from Connecticut into measures they would not otherwise have adopted ; yet, if the friends of government were emancipated by the aid of a force from this country, the colonies might be brought to a sense of their duty, without recourse to scenes of misery and desolation.

Lord Shelburne severely arraigned the conduct of administration, and the rashness of the predictions that a little bloodshed would ensure success : a great deal of blood had been unhappily shed to no purpose, but to sever the two countries, perhaps for ever. He advanced, as a plain and incontestible fact, that the commerce of America was the vital stream of this great empire, and the independence of that country must be the ruin of Britain. The inevitable consequence of perseverance in the present measures must be the depreciation of property ; opulence would be reduced to competence, competence to indigence : in contemplation of such adversity, he felt happy in having been bred a soldier ; accustomed to the moderation of that life, his fall would be easy.

At an early period in the debate, the Duke of Grafton delivered sentiments hostile to administration,

yet refused to concur in the amendment. He condemned the proceedings with respect to America during the last twelve months, and apologized for having supported them, by alleging that he was misled and deceived; he had concurred when he could not approve, from a hope that in proportion to the strength of government would be the probability of amicable adjustment. He recommended the repeal of all acts relative to America passed since 1763: this proposition would not probably obtain immediate approbation, but would daily grow in esteem, and ultimately gain universal assent. Did he entertain contrary sentiments, he could not agree in an address which sanctioned measures of unknown extent and expense, while the King's speech was not accompanied with the slightest information. He mentioned the bad state of his health, and, following the example of Lord Chatham, declared his intention to come in a litter, rather than fail to express his full and hearty disapprobation of the measures of administration.

The amendment was negatived\*, and the address carried†, by great majorities: nineteen peers signed a protest.

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Amendment  
rejected.  
Protest.

In the House of Commons, Lord John Cavendish moved an amendment in the same terms as that proposed by the Marquis of Rockingham. In the debate, the principle and conduct of the contest were severely arraigned. The facts assumed in the speech were declared to be untrue; Parliament was not early convened; the Americans were not collecting a naval force; the assertion, that they meant only to amuse by vague expressions of attachment, and sought to render themselves independent, were equally injurious to their honour and repugnant to truth: and the confiding of two such important fortresses as Gibraltar and Minorca to garrisons of foreigners was highly improper; the idea of conquest was equally romantic and unjust; and the addresses did not prove the sentiments of the people, even if fairly obtained; but the

House of  
Commons.

\* 69 to 29.

† 76 to 33.

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contrary was strenuously affirmed. Colonel Barré exposed to severe censure the whole conduct of the campaign; Mr. Fox observed that Lord Chatham, the King of Prussia, nay, Alexander the Great, never gained more in one year than the existing government had lost—it had lost a whole continent. Although the Americans were not justifiable in the extent of their proceedings, resistance was less culpable than submission to the tyrannical acts of a British parliament. General Conway, though joined with the King's servants, detested the principle of supporting every measure of government; reprobated the idea of conquering America; declared explicitly against the right of taxation; and wished to see the declaratory law repealed, since it had been converted to such bad purposes. Mr. Wilkes termed the address fulsome and adulatory; the war unjust, ruinous, felonious, and murderous; unjust and felonious, because its primary cause and origin was to take money from the Americans, without their consent, contrary to the common rights of mankind, and those great fundamental principles of the constitution for which Hampden bled; murderous, because it was an effort to deprive men of their lives, for standing up in defence of their property and their rights.

Defence.

In answer to these objections, the necessity of regaining America by force was strenuously urged: during the late summer, government, although vested by the legislature with the right of using the sword, had, through a love of lenity, preferred an attempt to govern by the civil power: it was now intended to send out an ample force, supported by a sufficient fleet, to insure subjection. Congress verbally professed not to aim at independence; but their claims amounted to a total exemption from parliamentary authority. They had expressly declared that the British legislature had no right to intermeddle with their provision for the support of civil government or the administration of justice; each country should in those respects regulate itself: thus they plainly claimed an exclusive authority in each colonial assembly. Not

only the late acts more particularly complained of, but every other affecting their internal polity, had been treated as unjust encroachments of parliament on the rights of a legislature as independent as itself. In military matters their pretensions were equally extravagant. They denied to Great Britain the right of keeping a single soldier in the whole extent of their continent, without consent of the colonial legislature. With regard to revenue, Parliament had declared, in words intelligible to all mankind, that they would never tax America, unless impelled by a refusal to contribute a due proportion to the common expenses of the state. They even knew that a reasonable sum would be accepted; but would not, to gratify this country, offer the contribution of a single shilling. The only particular in which they seemed inclined to admit the authority of Parliament, was the regulation of trade; though even there they expressed themselves with sufficient caution; and in every thing else asserted an absolute independence.

Lord North observed, that to repeal every act passed since the year 1763, must terminate the dispute; for, from that moment, America would be raised to independence. The acts were all just, and not cruel; and that for restraining their traffic with other countries, against which opposition so loudly declaimed, was not passed till the colonies, by a non-importation agreement, had refused to trade with England, who had nurtured them to their present greatness, and, on the principles of reciprocity, had an exclusive right to the benefits of their commerce.

At four o'clock in the morning the address was carried\*.

In these debates, and on the report of the address, the illegality of committing the custody of Gibraltar and Minorca to foreign troops was strenuously urged. It was a precedent of most alarming and dangerous tendency, recognizing a power in the King to introduce foreigners into the British dominions, and raise

Debate on  
the employ-  
ment of  
foreign  
troops in  
garrisons.  
27th Oct.

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armies without the consent of Parliament. Mr. Thurlow answered, that the clause in the Bill of Rights embraced no part of the King's dominions beyond the limits of Great Britain; the necessity of the case and danger of delay were also urged, and the introduction of six thousand Dutch troops, in 1745, without previous consent, was cited as a precedent. Lord North avowed himself the adviser of the paragraph in the King's speech, and declared he should not consider the House precluded, by voting for the address, from reviewing the measure on any future day.

Bill of indemnity.  
31st Oct.

The friends of administration did not uniformly concur in Lord North's opinion, and Mr. Marsham gave notice of his intention to bring in a bill of indemnity. The minister treated the intimation with his accustomed gaiety; declaring, that although perfectly satisfied with the legality of the measure, he had no objection to concur in any proposition tending to keep the heads of ministers more securely on their shoulders; yet conceiving that acts of indemnity were never passed but as a defence against actions at law, and not against impeachments, he proposed a resolution, approving the employing of foreign troops. This expedient was not, however, considered adequate to the purpose, and the minister himself, yielding his own judgment to the arguments of his friends, obtained leave to bring in a bill of indemnity.

1st Nov.

1st Nov.  
Motion in  
the House  
of Lords.

The Duke of Manchester, on the same day, made a motion to declare the employment of electoral troops, in the dominions of Great Britain, dangerous and unconstitutional, and supported it by an elaborate speech. The Earl of Rochford, as one of the ministers who advised the measure, declared his unshaken opinion that it was perfectly justifiable, and his readiness to abide the consequences: yet, as he had learned that Lord North intended to apply for a bill of indemnity, he moved the previous question. The Duke of Grafton, the only cabinet minister in the House who did not avow his having concurred in giving this advice, condemned the measure in the strongest terms, as inconsistent with the spirit of Magna Charta. The motion

of censure was supported by the Duke of Richmond, the Earls of Effingham, Camden, and Shelburne, and Lord Lyttelton. The previous question was, however, negatived\*.

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A motion similar to that of the Duke of Manchester was made by Sir James Lowther, and disposed of in the same manner†: in a long and animated debate, the minister was censured, even by his coadjutors, for acceding to the suggestion of a bill of indemnity. Lord Barrington, the secretary at war, in particular, declared that, although he was a principal adviser of the measure, he wanted no such bill, and should pity and condemn the minister by whom it was required.

3rd Nov.

Such being the opinions professed by members of administration in both Houses, the fate of the bill of indemnity might be anticipated: it passed the House of Commons, after the rejection of a motion for amending the preamble, and making ministry confess their conduct illegal, and repugnant to the spirit of the constitution. In the Upper House it was unanimously rejected on the third reading: the Marquis of Rockingham asserting it would be a disgrace to the statute book to afford indemnity to those who acknowledged no offence, and the ministerial lords declaring themselves perfectly indifferent respecting the event.

Bill rejected.

24th Nov.

30th Nov.

Several months afterward, Sir James Lowther reproduced the subject, by a motion for declaring the illegality of introducing foreign troops into any part of the King's dominions without the consent of Parliament. Several speeches were made, which displayed much industrious preparation, but no novelty, and it ended in the rejection of the previous question‡.

April 25.  
Sir James  
Lowther's  
motion.

Lord North brought in a bill for enabling the King to assemble the militia in cases of rebellion; which passed, with a rider proposed by Sir George Savile, limiting its duration to seven years. In the course of the debates, Lord Mountacute expressed a wish to see a militia in North Britain. Mr. Dunning

30th Oct.  
Bill for as-  
sembling the  
militia.

Mr. Dunning.

\* 75 to 32.

† On the previous question being put, the numbers were, ayes 81, noes 203.

‡ 186 to 92.

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fired at the suggestion: he was a friend to the old militia, because it could only be drawn out in cases prescribed by the constitution; but that meritorious body was to be annihilated, and a monster given in its stead. "A noble lord," he said, "has touched upon another militia;—a militia to be composed of a different set of people, a northern militia! From the manner in which the intimation is given, I take for granted the plan is determined, and that it is one of the measures which are, at present, so rapidly combined. It is curious to observe what are the auxiliaries called to the assistance of the British constitution. Catholics from Canada; Irish papists; a new militia in England, very differently composed from the old one; a Scotch militia, of a description that I will not name; Hanoverian mercenaries to garrison the two principal fortresses in the Mediterranean; and, to crown the whole, twenty thousand Russians: they are not to be sent to America; therefore we may presume they are to be brought here, to protect the legislative authority of this country."

Mr. Rigby.

These observations were answered by Mr. Rigby, who denied any intention of bringing Russians into this country, and stated that, whenever a war demanded foreign auxiliaries, they had been obtained from various countries. The last war saw Wolfenbuttlers, Hessians, Hanoverians, and many other people in our service; there was a Britannic legion, which consisted of all the thieves in Europe. "The learned member," he proceeded, "enters very logically into the distinctions of rebellion. He detests that of 1745, but likes the present passing well. For my part, although I think there is but one kind of rebellion, I cannot carry my resentments so far back; for whenever the Americans shall return to their duty, I shall not consider them as deserving of my hatred."

Mr. Ackland.

Much displeasure was expressed in several debates at the loyal addresses which had been sent, and many reflections cast on the means employed to obtain them. The first battalion of the Devonshire militia had forwarded one: such a proceeding by an armed body was

censured as unconstitutional; and Mr. Ackland, a major in the regiment, was charged with using improper means to procure it. The objection against its legality was easily disposed of; and, as the supposed interference was denied, Mr. Dunning made a suitable apology. In a subsequent debate, the accusation being in some degree adverted to by Mr. Fox, Mr. Ackland intemperately observed, that he was no adventurer or place-hunter. Men of property, who had much at stake, and could have no interest but that of the public, were more fit to be trusted with sums for its defence than those of reduced fortunes. Here he was interrupted by Mr. Burke. Mr. Fox began a speech of severe reprehension; but the altercation was stopped by a general interposition.

How little effect the efforts of opposition produced, was shewn by three divisions taken during the progress of the bill\*.

The number of seamen was fixed at 28,000; the land forces at 55,000, of whom 25,000 were destined for America. The discussion of the navy estimates gave occasion to impute many malversations to the first Lord of the Admiralty; and while the army estimates were under consideration, a review was taken of the cause and progress of the American dispute, the means of conciliation, and the probabilities of conquest.

In the House of Lords, similar efforts were made; the Duke of Grafton, who had resigned the Privy Seal since the commencement of the session, became conspicuous in the ranks of opposition. He moved for an account of the number of forces serving in America previous to the commencement of hostilities; the force actually employed there; the plans for winter-quarters, and the numbers of the provincial army; an estimate of the troops in Great Britain and Ireland; and an estimate of the military force necessary to be sent to America, with an account of the artillery and stores. In support of this motion, he stated the unsuccessful

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22nd Nov.  
Estimates.

1st Nov.

8th.

Motion by  
the Duke of  
Grafton.  
4th Nov.

15th.

\* The numbers on the motion for a second reading, 259 to 50; on an amendment proposed in the committee, 140 to 56; and on the third reading, 162 to 26.



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operations of the late campaign, the condition of the army, cooped up in Boston, mouldering away by sickness and famine, and almost daily waiting for its fate, that of being destroyed or made prisoners by a force infinitely superior. The Lords who directed his Majesty's councils had ingenuously avowed their having been deceived; apologized on account of ill-founded information, false reasonings and mistaken conclusions: and directed oblique censures against the commanders both by sea and land. In such a state of darkness and uncertainty, such charges, blunders, mistakes, imputed negligence or incapacity, it was necessary to warn the House of the difficulties to be encountered, and the means of obviating or surmounting them: by such means they would be enabled to adopt measures of coercion or conciliation which best suited the dignity, justice and permanent interests of the country.

Objected to.

The proposition was resisted, on the ground that the information would be communicated to the enemy, and expose the plan of military operations. Earl Gower asserted, on the credit of an officer of eminence in America, that all measures determined on in England were known in the provincial camp much earlier than in the King's army. The Americans would consequently rise in their demands if conciliation were proposed, or take the measures of resistance best calculated to defeat the intentions of Great Britain.

Dispute with  
America  
censured.

A digression was made into the general grounds of the dispute: the Americans were vindicated by Lord Camden, the Duke of Richmond, and Lord Shelburne, who declared Great Britain in every instance the aggressor, and stigmatized the proceedings against the colonies by the name of robbery: they were cruel, oppressive, unjust, and unrelenting, and ought to be resisted as open and dangerous attacks on liberty, property, and every thing dear to free men. The assertion that America aspired at independence, was treated as an unfounded calumny, invented for purposes of delusion.

Defended by  
Lord Mans-  
field.

Beside the Earls of Gower and Dartmouth, who, as ministers, vindicated their own proceedings, the cause

of government was ably defended by the Lords Lyttelton, Dudley, and Townshend; but Lord Mansfield, with his usual perspicuity, eloquence, and profound information, traced to their real source the pretensions which convulsed America and agitated Great Britain. He said, "The bad consequences of planting northern colonies were early predicted. Sir Joshua Child foretold, before the revolution, that they would, finally, prove our rivals in power, commerce, and manufactures. Davenant, adopting the same ideas, foresaw that whenever America found herself sufficiently strong to contend with the mother-country, she would endeavour to become a separate and independent state. This had been the constant object in New England, almost from her earliest infancy. This compelled King William to revoke his former charter, and give them a new one; and toward the conclusion of his reign, to procure an act that no law originating in the colonies should be valid, if contrary to that of England. Those disputes had scarcely ever subsided: in 1733, Mr. Talbot, afterward chancellor, proposed a series of resolutions in the House of Commons, indicating the precise nature of the disputes, and fully asserting doctrines similar to those now maintained by the British Parliament. A new administration, formed in 1756, was extremely unwilling to engage in a war on account of America; and would have avoided it, had not circumstances given another turn to the subsisting disputes." "I do not assert" his lordship said, "that America was not the true cause of the war; I am certain it was. A vulgar opinion prevailed, the reverse of truth, that we armed in defence of Hanover; but, whatever form the war might afterward assume, it was originally undertaken for the preservation of America. At the peace, the inconveniences which have since arisen were partly foreseen; but they were, with suitable wisdom, balanced against those which might result from the other part of the alternative. The restoration of Canada to France would have been the source of endless contention. At the time of imposing the

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“ stamp duties, an idea prevailed, that America, from  
“ her increased power and ability, should contribute to  
“ alleviate the burdens with which she had been in-  
“ strumental in loading this country. I shall not dis-  
“ cuss the propriety of the measure; from succeed-  
“ ing events, I regret its adoption; but at the time it  
“ encountered no opposition. The next year the decla-  
“ ratory law was passed with equal unanimity. In a  
“ year after, Lord Camden, being then at the head of  
“ his Majesty’s councils, and presiding on the wool-  
“ sack, was present when the port duties were imposed,  
“ but offered not the slightest resistance. When the re-  
“ solutions for extending the statute of Henry VIII,  
“ relative to the trial of persons for offences committed  
“ out of the realm, were voted, the same learned Lord  
“ retained his situation, and the noble Duke, who made  
“ the motion this day, then presided at the head of the  
“ treasury; both were in the cabinet, and yet not a  
“ word was said against the measure. I look back  
“ with sorrow to all these transactions. Lastly, the  
“ bill for shutting the port of Boston, on which the  
“ learned Lord hath this day bestowed so many hard  
“ names, was passed without opposition. If these acts  
“ were justifiable, those which succeeded were equally  
“ so. America does not complain of particular inju-  
“ ries, so much as the violation of her rights; in one  
“ place Congress sums up the whole of their griev-  
“ ances in the passage of the declaratory act, which  
“ asserts the supremacy of Great Britain, or the power  
“ of making laws for America in all cases. Hence  
“ arises the dispute; they positively deny the exist-  
“ ence, not the mode of exercising the right: they  
“ would allow the King of Great Britain a nominal  
“ sovereignty, but no more: they would renounce de-  
“ pendency on the crown of Great Britain, but not on  
“ the person of the King, whom they would reduce to  
“ a cypher. In fine, they would stand in relation to  
“ Great Britain, as Hanover now stands: or, rather,  
“ as Scotland stood toward England before the union.”  
His Lordship then proved that the views of America  
were directed to independence; that Great Britain

could not concede any claim without relinquishing all. Such a sacrifice he supposed was not intended ; and, consequently, any measures of conciliation would only furnish grounds for new claims, or produce simulated obedience and submission.

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The Duke of Grafton's motions were negatived without a division.

Among other means of raising supplies, the minister proposed a land tax of four shillings in the pound. This measure, so unpalatable to the country gentlemen, afforded means of arraigning the conduct of ministry, and alarming the jealousy of those who would be most affected. Mr. Hartley said, little foresight was necessary to prophesy, last year, that the land tax must be raised to four shillings, and he saw no probability of its ever being reduced. He made numerous statements and calculations to prove that, instead of deriving the promised revenue from America, England would be encumbered with a perpetual mortgage on the land, to pay for measures equally unjust and ill executed.

13th Nov.  
Land tax at  
4s. in the  
pound.

These arguments produced the desired effect. Mr. Baldwin observed, he always understood the dispute with America to be for a revenue in relief of the country gentlemen ; but, having since learnt that the idea of taxation was abandoned, he considered it improper to embark in further expenses.

After replying to several of Mr. Hartley's statements, Lord North denied that taxation was renounced. A mode, he said, would be adopted for obtaining a contribution from America ; ministers abandoned the idea of taxation only for the present ; it was but a matter of secondary importance, when the supremacy and legislative authority of the country were at stake. To ensure legislative authority and commercial advantages, it would be necessary to combine them with a tax, even though attended with no direct profit.

This explanation was deemed satisfactory, and the measure encountered little further opposition\*.

\* A division took place on an amendment, moved by Sir George Younge, for continuing the land tax at three shillings in the pound ; but it was negatived, 182 to 47.

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26th Oct.  
Nova Scotia  
petition.

A similar petition to that presented to the Lords from the general assembly of Nova Scotia, was also offered to the House of Commons. The assembly deplored the prospect which the present state of affairs opened to America, and proposed, as the means of terminating amicably all differences, and preventing the possibility of their being renewed, a tax *ad valorem* on all commodities imported into the province, not being the produce of the British dominions, except bay salt. This tax would include almost all luxuries, and would increase in an equal ratio with the affluence of the inhabitants. The offer was made in compliance with the conciliatory propositions, and the petitioners hoped it would serve as a model and precedent.

23rd Nov

Lord North moved, in a committee, that this proposal should be accepted, the tax not to exceed eight per cent.; and when the legislature of Nova Scotia should have passed an act for effectuating it, their trade should be restored, and they at liberty to import wines, and certain other articles, directly from any other country. It does not seem to have occurred, until suggested by Sir George Younge, that this petition contained the same doctrines, breathed the same language, and claimed the same rights, as the declaration of Congress. Sir George moved an amendment, which was overruled; but the petition was not afterwards cordially espoused. It was reported, and a long debate maintained on some proposed amendments, and an ironical resolution moved by Mr. Burke; but the subject was gradually relinquished.

29th.

6th Nov.  
Debates on  
the petition  
of Congress  
to the King.  
7th Nov.

The petition of Congress being alluded to in the King's speech, was submitted to the inspection of Parliament. Before this paper was regularly discussed in the House of Lords, Mr. Luttrell endeavoured to conciliate the lower House to the pretensions and character of Congress, by moving an address for empowering commissioners to receive conciliatory proposals from any general convention, congress, or other collective body, conveying the sentiments of one or more colonies, suspending all inquiry into the legal or illegal forms under which such colony might be dis-

posed to treat. This motion was introduced by a long speech, tending to prove, that in Great Britain, more than any other country, government had been brought back to its first principles, by extra-formal assemblies of the people in a convention or congress. By such a convention, he argued, monarchy had been restored in the person of Charles II. and such a convention in 1688 perfected the glorious Revolution. No answer was made to the harangue, but by observing, that to treat with the American Congress would be to admit it a legal assembly, and consequently that the conduct of Great Britain was entirely founded on injustice. The motion was negatived.

When the Lords, in pursuance of the order of the day, were proceeding to take into consideration the petition of Congress, the Duke of Richmond saw Mr. Penn standing below the bar, and, anticipating that some doubts would arise respecting the authenticity of the paper, urged the propriety of examining him as a witness. After a strenuous debate on order and precedent, mixed with much personal invective, the ministry conceded that his evidence should be received.

7th Nov.  
Mr. Penn  
examined.

The examination was conducted by the Duke of Richmond, who had previously communicated the questions he intended to ask. Mr. Penn had been constantly resident in America four years, two of which he had been governor of Pennsylvania; he described the Congress as men of character and intelligence, capable of conveying the sense of their constituents, and without means of enforcing obedience, but through the confidence reposed in them: that confidence, however, was so unlimited, that no sufficient protection could be found for persons who should advance sentiments differing from those which they had promulgated. The people generally considered themselves fully able to resist the arms of Great Britain employed to enforce taxation and the late obnoxious acts. The war was commenced and prosecuted by the inclination and zeal of the people, in defence of their liberties, though not, as the witness

10th Nov.

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believed, for the purpose of establishing independency; but, unless conciliatory measures were speedily pursued, he feared the Americans would form connexions with foreign powers, which they would not easily be induced to renounce. They were dissatisfied with the reception of their petitions, and had formed great hopes of that delivered by the witness, which was styled *the Olive Branch*; and the commission to present it was considered a subject of congratulation by his friends. He described the dissatisfaction occasioned by the stamp act, and the exultation at the repeal; and was of opinion that the declaratory act would have occasioned no discontent, had America been left in the state she then was: he believed the colonies inclined to acknowledge the imperial authority of Great Britain, in every particular, except taxation, and to acquiesce in the words of the declaratory act.

The Duke of  
Richmond's  
motion.

Upon this evidence, manifestly partial and necessarily imperfect, from the situation of the witness, whose knowledge was avowedly limited to Pennsylvania, the Duke of Richmond founded a motion, "That the petition was a ground for conciliation of the unhappy differences between Great Britain and America." He extolled its language as that of dutiful submission to the sovereignty of the mother-country, so far as was compatible with the rights secured to freemen by the constitution of the empire; and traced all the difficulties, dangers, and inconveniences attendant on a project of forcible conquest.

Lord Shel-  
burne.

Lord Shelburne coincided in these sentiments, and expatiated on the topics urged by the Duke of Richmond, in terms still more forcible. He predicted national ruin from the prosecution of the contest, and said, if ministers persisted in measures neither justifiable on principles of policy or of liberty, he should apply to them the adage, "*Quos deus vult perdere prius dementat.*"

The Earl of  
Dartmouth.

The Earl of Dartmouth defended the refusal to answer the petition, by observing, that unless presented to the King on the throne, no answer could be expected as of right; and it would have been indecent in the

Secretary of State to give one unauthorized. If silence was construed into disapprobation, the construction was justifiable. The petition, in its expressions, was unexceptionable; but there was every reason to believe the softness of the language purposely adopted to conceal the most traitorous designs. Did it become the offending party to dictate the terms on which peace would be accepted?

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Lord Lyttelton, with great warmth, descanted on the partiality of the witness, and declared he could have confronted him with a person of unexceptionable character, possessed of ten thousand acres of land in New England, but that individual was afraid to appear, from a certainty that his property would be totally destroyed, and his person proscribed. "Supposing, however, Mr. Penn's evidence impartial, what was the purport of the motion, but that the acts of the British Parliament, its repeated addresses to the throne, his Majesty's own most solemn declarations, were to be superseded by the commands, not addresses, of the rebellious Americans? Those audacious rebels, who endeavoured to impose on his Majesty insidious, traitorous, false expressions of loyalty and obedience, while in the same breath they appealed to the people of Great Britain and Ireland, abused the Parliament, denied their power, invited their fellow-subjects to make a common cause, and thus, at once, endeavoured to involve every part of this great empire in one general scene of rebellion and bloodshed. Are these the men you would treat with? Is this the cause the pretended friends of the country would endeavour to defend? Or would you, by agreeing with this motion, relinquish your dominion over those worst of rebels, and tamely submit to transfer the seat of empire from Great Britain to America?"

Lord Lyttelton.

Lord Sandwich, whose temper and mildness in debate furnished at once a contrast and reproof to the vehemence of Lord Lyttelton, defended that nobleman against the animadversions he incurred by his irritability, and unfolded many errors and exaggerations in the

Lord Sandwich.



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Negatived  
16th Nov.  
Burke's con-  
ciliatory bill.

statements of American force and British alliances. He exposed with perspicuity the geographical and political mistakes made by the opponents of ministry, censured their assumption of mere suppositions for facts, and rectified their mis-statements of the strength and zeal of the country.

The Duke of Richmond's motion was negatived\*.

Mr. Burke again judged it expedient to propose a project of conciliation, which he introduced at the moment of presenting a petition from the inhabitants of certain towns in Wiltshire, against the prosecution "of the war. His motion was "For leave to bring in "a bill for composing the present troubles, and quieting the minds of his Majesty's subjects in America," founded on the statute of Edward I. *de tallagio non concedendo*. In conformity to this precedent, he proposed a renunciation of taxing, a repeal of statutes made on a contrary principle, since 1766, a general pardon, and a congress to be held by royal authority for the adjustment of differences†.

In his speech, Mr. Burke observed, three plans were afloat with regard to America; first, simple war, in order to a perfect conquest; second, a mixture of war and treaty; and third, peace grounded on concession. The first plan was to be effected in two ways; the one direct, by conquest, the other indirect, by distress. The forces to be employed in America, amounting on paper to no more than 26,000, were, he contended, insufficient for conquest; and without anticipating the success or frustration of the plan of distress, he objected to it as not leading to a speedy decision. The longer our distractions continued, the greater the chance of interference by the Bourbon powers, which, in a protracted war, he considered not only probable, but certain; and this country was utterly incapable of coping with America with those powers in conjunction.

The second project, of force mixed with treaty,

\* 86 to 33.

† See the bill in the Parliamentary Register, vol. iii. p. 182. Parliamentary History, vol. xviii. p. 978.

appeared most favoured by ministers, but met with his decided disapprobation. Ministers did not propose to negotiate with the present or any other general congress or meeting, but with the several assemblies distinctly. In this scheme they knew they could not succeed, because the chartered assembly of one principal province, that of Massachusetts Bay, was destroyed by act of parliament. No assembly would sit under the new constitution, because the inhabitants must then, as a preliminary, surrender the principal object for which they had armed; and thus, before the opening of the negotiation, decide the contest against themselves: the treaty must therefore stumble on the threshold. Beside this fundamental objection, he urged the impossibility of ever terminating a negotiation with so many provinces, of such different constitutions, tempers, and opinions, while, in the mean time, hostilities, with their whole train of disadvantages, accidents, and ruinous expenses, would be continued. The objects of treaty must be either the recognition of abstract rights, on as large a scale as Parliament claimed them, to which the Americans would never submit; or upon a lesser, to which they had already submitted. Another object of treaty might be a practical recognition of the right of Great Britain to tax for a revenue, either nominal or beneficial; if nominal, it amounted only to a speculative acknowledgment of right, which they would for ever refuse; if beneficial, they would grant it only in the ancient mode, which from the beginning of the contest they had repeatedly tendered; that of contributing according to their ability, estimated by themselves. If ministers treated for a revenue, or any other purpose, they could only rely on the force which procured the terms, or the honour, sincerity, and good inclination of the people. If nothing but force could hold them, and they aimed at independency, as the speech from the throne asserted, then the House was to consider how a standing army of 26,000 men, and seventy ships of war, could be constantly maintained. "A people aspiring at independency will not abandon it,

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“ because they have, to avoid a present inconvenience, submitted to treaty. After all our struggles, America must be retained by her good inclination. If this fails, all fails ; and it were better to trust to the honesty of the colonies, before we ruined ourselves and irritated them, than after we had alienated their affections for ever.”

Having dilated on these topics, Mr. Burke came to his own proposition, that of concession previous to treaty. He put no great faith in any negotiation, and none in an armed negotiation ; he would therefore recommend little treaty, and that as short as possible. The House would judge whether concession was necessary or not ; and should they decide in the affirmative, it would be most consistent with their dignity to make it immediately, and of their own free grace. A necessary preliminary, however, would be the dismissal of the ministry. In no time or country, or under any form of government, was the power of ministers suffered to survive the success of their counsels ; or the same men permitted to inflame a dependent people to arms, and then appease them by concessions. In concession, the credit of a state is saved by the disgrace of a minister ; because it is his counsel alone that is discredited. But when the very same ministers, in consequence of resistance, forego their own acts, the nation itself submits.

He then read his bill, and shewed its conformity to its model, supposing Great Britain to stand in the place of the sovereign, and America in that of the subject. The circumstances were not indeed in every respect exactly parallel, but sufficiently so to justify his following an example that gave satisfaction and security on the subject of taxes, and left all other rights and powers exactly as they stood before the arrangement.

At first he intended to propose the repeal of the declaratory act, but found it impossible, without making the legislature accuse itself of uttering false propositions, and advancing groundless claims : it would be a denial of legislative power, as extensive as

the affirmation. To repeal all the acts since 1763 was impossible, without ruining the whole system of trade laws, and some which were extremely beneficial to America. All those which leaned on the colonists, and were the cause or consequence of our quarrel, should be repealed; and the bill authorised a negotiation for settling all inferior matters to mutual advantage. The Congress did not require this sweeping repeal as a preliminary to peace; but even if it had, he did not conceive that men treating of peace must persevere in demanding every thing they claimed in the height of the quarrel. The cause of the dissension was taxation; that once removed, the rest would not be difficult: and he was confident, both from the nature of the question, and from information which did not use to fail him, that this bill would restore immediate peace; and as much obedience as could be expected, after so rude a shock had been given to government, and after so long a continuance of public disturbances.

This proposition occasioned a long debate, in which the principal speakers on both sides engaged with their utmost spirit and ability. The chief opponent to Mr. Burke, whose arguments are preserved, was Governor Pownall. Following the mover in his division of the subject, he exposed many fallacies in his reasoning, and many errors in his statements. He gave, as an analysis of Mr. Burke's theory, that Great Britain must either change the sentiments of the Americans by negotiation, or subdue the rising spirit; the rising spirit was not to be subdued, and while war lasted it was not to be changed by negotiation. Parliament must, therefore, previously make concessions, disavow their declarations, repeal their acts, sue for peace, and the Americans might grant it. By this plan the unsuspecting confidence of the colonies must be regained by removing the ground of the difference. Even such a project was not recommended by experience. "When the stamp act was repealed, the mover says, the Americans resigned themselves to their former unsuspecting confidence;" the declara-

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Opposed by  
Governor  
Pownall.

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tion of Congress expressly contradicts the assertion. "After the repeal of the stamp act," they say, "having again resigned ourselves to our ancient unsuspecting affection for the parent state, and anxious to avoid any controversy with her, in hopes of a favourable alteration in sentiments and measures towards us, we did not press our objections against the above-mentioned statutes made subsequent to the repeal." Among these were the declaratory act, and the act for imposing other duties in lieu of that which was retracted.

Governor Pownall then entered into a detail of the various acts, which, from the twenty-fifth year of Charles II. had laid duties on the colonies for the purpose of raising a revenue for England; he shewed that the Americans required a repeal of these, as well as of the subsequent acts; and that they neither were nor could be content with what was done in 1766. Mr. Burke's proposition, therefore, did not go back so far as Congress demanded, not even so far as the year 1763; the declaratory act and the revenue act were left unrepealed, while Congress stated their abhorrence of the former law, demanding what was to defend them against a power so enormous, so unlimited. This fault in the plan arose from the proposer's partiality to his own friends, under whose auspices the obnoxious acts were passed. The Americans would not be so satisfied; for when they limited their present demands to the infringements of their rights since 1763, they carefully reserved the further consideration of the general state of their claims to a future day. The Governor was adverse to all partial concessions and repeals, which could produce nothing but an endless succession of quarrels and temporary reconciliations. The bill itself, although grounded on the complaints of American grievances, did not afford the redress and remedy: it went only to 1766; but, to be real and efficient, it must be extended to 1672. "They complain," he said, "of the admiralty jurisdiction: now that is as old as the act of navigation, by which ships navigated contrary to law were to be seized, and

" might he brought to the court of admiralty in England, on the express principle that there should be no party juries. For the ease, and not the ag-grieving of the subject, courts of admiralty were afterward established in the colonies, and all this system stood established before 1764. To my argu-ment it is nothing how far this is right or wrong, grievous or otherwise; but the Americans complain of it; and if the bill which is to afford redress and concede to their complaints must be effectual, in order to gain their confidence, this bill does not go far enough: there are others willing to go further."

He then moved the previous question, which was decided in the negative\*.

Mr. Hartley renewed his conciliatory efforts, opo-  
logizing for his perseverance by adverting to the magnitude of the object, upon which not only the fate of our own times, but of all future ages, both in this country and America, would depend. He took the ground of his proposition for pacification from the petition of Congress, which he characterized as most dutiful and affectionate, humbly supplicating the King to become the mediator of peace between them and their parent state. Lord North, at the be-

7th Dec.  
Hartley's  
proposi-  
tions.

\* 210 to 105. In the course of this debate, Sir George Savile, with consider-  
able pleasantry, supposed the House of Commons the American Congress, and  
assigned to the principal persons the characters of the leading Americans. "The  
learned gentleman, Mr. Wedderburne, for his quiet and temperate character,  
spirit of moderation, deep philosophy, love of liberty and his country, I will  
suppose is Dr. Franklin. I have fixed upon him, besides, as his particular  
friend. His neighbour, Lord George Germaine, is General Putnam. His next  
neighbour, Lord North, Mr. Adams. And there is a gentleman I can suppose  
to be Mr. Hancock—I beg your pardon, Mr. Speaker (bowing to the Speaker),  
you are Mr. Hancock. Now I will suppose all these great men got together;  
and our Dr. Franklin to take up the defence of the colonies with all that wit  
and eloquence of which he is master. I will only suggest the topics upon  
which he would talk." He then put all the strongest words and arguments in  
defence of America into the mouth of this supposed Dr. Franklin, and went on  
in the same manner with the other imaginary persons. Mr. Fox, with great wit  
and readiness, gave a description of the treasury-bench, beginning with Mr. Ellis,  
and ending with Mr. Cornwall, by a single epithet, happily marking the charac-  
ters of each with a fine satire, and without breach of decorum. And Mr.  
Wedderburne, in answer to an observation of Mr. Burke, on the conduct of  
Demosthenes, descanted on the history of that period, with allusion to the pre-  
sent times. His speech, though delivered at three o'clock in the morning,  
awakened the attention of every individual in the House.

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ginning of the session, having expressed an ardent wish that affairs were in the same state as in 1763, Mr. Hartley would unite with him on those terms; for, although he considered the ministry at all times aggressors, he thought it not unreasonable to expect from America some concession to the national honour. The Americans had offered to make any reasonable sacrifice; he would embrace the suggestion; and, as a hankering after revenue still lurked in the minister's heart, he might also obtain a revenue if he would receive it in a constitutional way. Even supposing that a right to tax America could be proved, justice, which is superior to all rights, would require its dereliction. It is the prerogative of the Commons of England to give and grant by their own representatives; the Commons of Ireland possess the same prerogative; and it has always been equally enjoyed by the Commons of America. Had the reverse been true; had the right of taxing unrepresented America been undisputed, and the exercise customary and notorious; yet, considering the oppression and grievances of unrepresented taxation, it would have been the duty of Parliament to rectify the constitution of America by the British model. If administration were sincere in the desire for peace, he would offer terms of accommodation, by which, if the Americans were replaced in the same position as in 1763, they should give full satisfaction on the point of honour, and an effectual, not mere verbal, recognition of the authority of the mother-country as it then was. The test should be, the registering, by the assembly of each province, of some act of parliament on principles of justice, and such as the colonies would in 1763 have received with a silent and thankful compliance.

His motions were, first, for a suspension of arms during the treaty of pacification; second, for a restoration of the legislature of Massachusetts Bay, according to the charter; third, for a bill to establish the right of trial by jury in criminal cases to all slaves in North America, and to request the registering of that act by the *assemblies in each colony*. This was

the proposed test. Fourth, for a bill to restore the Americans to the position in which they were in 1763; and fifth, for a free pardon, indemnity, and oblivion. They were all negatived\*.

These motions appear to contain some good principles of conciliation, if conciliation was indeed possible: the arguments against them are not preserved. Lord North objected to the attempt as unseasonable, till experiment had been made of a measure of such vast extent as the prohibitory bill, which was then passing through the House.

This measure was introduced by the minister himself, for the purpose of terminating all intercourse with the colonies during the rebellion, repealing the Boston port and restraining acts, and enabling the King to appoint commissioners, and issue proclamations in certain cases. He explained the necessity of restraining the American trade during the rebellion, and the justice of immediately removing the restraint from any colony wherein it might cease; the Boston port act, and other acts of last year, being framed on other grounds and for other purposes, would impede this operation; the restraining acts were civil coercions against civil crimes; but, in a state of war, the provisions were ineffectual, and others became necessary: those he now proposed would be used in war with any country, but were framed under provisos facilitating the approach of peace. The charter acts could not be repealed while the Americans denied the right of making them: the bill for the administration of justice there was no occasion to repeal; because, the country being in actual war, martial law took place, and there were no courts in which it could operate. He should also be ready to repeal the tea duty on the same grounds that he would suspend every exercise of the right of taxation, if the colonies themselves would point out any mode by which they would bear their share of the burden, and give their aid to the common defence. The clause respecting the commis-

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Rejected.

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Bill for  
prohibiting  
commercial  
intercourse  
with America.



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sioners meant, beside the granting of pardons, that they should inquire into any material change of circumstances in the colonies; remedy real grievances or oppressions; and, if any part, or a whole colony, returned to a proper state of obedience, declare that colony or part to be in peace, upon which the restrictions in the present bill were to cease.

In vindication of his own conduct, Lord North observed, the dispute about taxation was prepared and begun before he engaged in it as a minister; he embraced it when the colonies, being already taxed, disputed a right which the country had determined not to surrender. If the colonies, by appealing to arms, had made war the medium, although peace was the only point he ever retained in view, he must pursue it through that medium. To these principles he declared his stedfast adherence.

Mr. Fox.

Mr. Fox decried the proposition, as tending to destroy all trade with America, and accused the minister of designing to ruin the manufacturers, in order to induce them to enlist in the army, which could no otherwise be recruited. He moved, as an amendment, to omit the whole of Lord North's proposition, except what related to the repeal of the obnoxious laws.

Lord Howe.

During this debate, the nature of civil wars, and the propriety of active exertion in military commanders when their opinions were repugnant to the service, were brought into discussion. Lord Howe declared he did not conceive any struggle so painful as that between duties as an officer and as a man: if left to his choice, he certainly should decline to serve; but if commanded, it was his duty, and he should not refuse to obey.

General  
Conway.

General Conway urged the difference between a foreign war, where the whole community was involved, and a domestic war on points of civil contention, wherein the community was divided. In the first case, no officer ought to call in question the justice of his country; in the latter, a military man, before he drew his sword against his fellow-subjects,

ought to examine his conscience, whether the cause was just.

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Mr. Thurlow, with becoming indignation, decried these sentiments. "Let the honourable gentleman," he said, "justify his conscience to himself, but not hold it out as a point of doctrine to be taken up in a quarter and line of service where his opinions might be supposed to have great influence; for, if once established as doctrine, they must tend to a dissolution of government." Lord North's proposition, he contended, retained the habitual exercise of taxation, and left an opening to America of a permission to raise her share of supply toward the common defence, by granting it in her own assemblies, and giving it in her own way. On this principle, he was willing to coincide in any measure that might afford ground for conciliation; yet he thought the only sure and permanent basis would be a definition of the relation between the mother-country and her colonies. He added, that, as Attorney-general, he had a right, by writ of *scire facias*, to set aside every charter in America: but, in our present situation, such a process would be justly the object of ridicule; for the conduct of America was not a matter for judicial, but parliamentary, animadversion.

1775.  
Mr. Thurlow.

Mr. Fox's amendment was rejected\*.

This law was vehemently opposed during its whole progress: it was decried as a formal abdication of the government of the colonies, and termed a bill for more effectually carrying into execution the resolves of Congress†. Petitions were presented by the West India merchants, and counsel heard; an attempt was made to exclude the province of Georgia from its operation; and several amendments were tendered in the committee. Opposition was carried to the extreme of political violence and personal altercation; but at length the bill passed without amendment‡.

1st to 11th.  
Dec.

In the House of Lords the contest was not less

\* 192 to 64.

† History of Lord North's Administration, p. 220.

‡ The final division was 112 to 16.

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Debated in  
the House of  
Lords.  
15th Dec.

violent and acrimonious. On the second reading, much of the debate turned on the allegation in the preamble, that the Americans were in rebellion. The peers in opposition contended that they had been forced to take up arms in defence of their property, which several statutes had attempted unjustly to wrest from their hands; they were resisting acts of violence and injustice, acts oppressive, cruel, and tyrannical; consequently, such resistance was neither treason nor rebellion, but, in every political and moral sense, perfectly justifiable.

This manner of speaking was vehemently censured by Lord Lyttelton, who, in the phrase of Cicero, styled it *immoderata licentia concionis*; and the Earl of Denbigh insisted, that, by the laws and constitution of this realm, any other treasonable expression might be as well justified, under the claim of exercising the privilege of speech, as the assertion that America was not in rebellion, or that resistance to the statutes of a British parliament is no more than resistance to the most wanton act of tyranny and oppression. Those who defend rebellion, he said, are themselves little better than rebels; and there is no great difference between the traitor, and him who openly or privately abets treason.

Protest.

A protest, signed by eight peers, was entered on the journals against committing the bill\*.

During its further progress, several amendments were made; delay was attempted, and a petition presented from the merchants of Bristol, requesting a suspension of its operations for two months; but without effect.

20th Dec.  
Lord  
Mansfield.

On the last reading, Lord Mansfield defended the measure in all its parts, and the conduct of government toward America in general. He always was of opinion that the people of America were as much bound to obey the acts of the British Parliament, as the inhabitants of London and Middlesex; and thought that, ever since the peace of Paris, the northern colo-

\* This division was 78 to 19.

nies had been meditating independency. " They have  
 " said so in a publication of the continental Congress,  
 " wherein they thank Providence for inspiring their  
 " enemies with the resolution of not attempting to  
 " carry their schemes of dominion into execution till  
 " they had arrived at a growth and strength sufficient  
 " to resist them. Whatever might be their wishes  
 " before that time, their situation rendered it imprac-  
 " ticable, because Great Britain alone could protect  
 " them against the power of France, to which their  
 " whole frontier lay exposed. But allowing all their  
 " professions genuine, their inclinations those of duty  
 " and respect toward this country, that they entered  
 " into the present rebellion through the intrigues and  
 " arts of a few factious and ambitious men, or those  
 " who ultimately directed them; that the stamp act  
 " was wrong; that the declaratory law might assert  
 " the supremacy over that country, but it ought never  
 " to be exercised, nor amount to more than such a  
 " power as his Majesty claims over France, a mere  
 " nominal dominion; that no troops should be sent  
 " even to defend the Americans, without their own  
 " permission; that the Admiralty courts should never  
 " be made to extend there, though, by the trial by jury,  
 " the parties themselves would be judges; that offen-  
 " ders against the laws and authority of this country  
 " should be tried for offences by persons who them-  
 " selves were ready to declare they did not think the  
 " charges criminal; that no restraints should be laid  
 " upon their trade, though that great bulwark of the  
 " riches and commerce of this country, the act of na-  
 " vigation, depended on such restrictions; that every  
 " measure hitherto taken to enforce submission to par-  
 " liamentary authority was cruel and unjust; that  
 " every ministry had been tyrannic and oppressive,  
 " and the last worst of all; yet, admitting all this to be  
 " true, was Great Britain to rest inactive, till America  
 " thought proper to begin the attack, and gained  
 " strength to do it with effect? We are now in such a  
 " situation, that we must either fight or be pursued.  
 " A Swedish general, in the reign of Gustavus Adol-

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“ phus, pointing to the approaching enemy, said to his  
 “ troops, ‘ My lads, you see those men ; if you do not  
 “ ‘ kill them, they will kill you.’ The same sentiment  
 “ is applicable to the present case. If we do not get  
 “ the better of America, America will get the better of  
 “ us. They have begun to raise a navy ; trade will  
 “ beget opulence, and they will be enabled to hire ships  
 “ from foreign powers. It is said the present war is  
 “ only defensive on the part of America. Is the attack  
 “ on Canada, or the attempt at Halifax, a defensive  
 “ war ? Is the prohibiting all trade and commerce  
 “ with every other part of the British dominions, even  
 “ with Ireland, for which they express such friendly  
 “ sentiments ; is starving the sugar islands acting on  
 “ the defensive ? No ; though those people never  
 “ offended, nor oppressed us, we will distress them, say  
 “ they, because that will be distressing Great Britain.  
 “ Are we, in the midst of all outrages, of hostility, of  
 “ seizing our ships, entering our provinces at the head  
 “ of numerous armies, and seizing our forts, to stand  
 “ idle, because we are told this is an unjust war, and wait  
 “ till they have brought their arms to our very doors ?  
 “ The justice of the cause must give way to our pre-  
 “ sent situation ; and the consequences which must  
 “ ensue, should we recede, would, nay must, be infi-  
 “ nitely worse than any we have to dread by pursuing  
 “ the present plan, or agreeing to a final separation.”

21st Dec.

The bill passed without a division. Mr. Hartley vainly attempted to procure its rejection, when returned in an amended state to the Commons : and both Houses adjourned for the Christmas recess\*.

22d &amp; 22nd.

Recess.  
Changes in  
administra-  
tion.

During the session, several changes took place in the administration. The Duke of Grafton appears to have been always disposed to repeal the American tea duty†, although he continued in administration when that measure was rejected. On the first day of the session, he seized the opportunity of claiming popula-

4th Nov.

\* In a subsequent period of the session, some supposed partialities and imputed frauds in carrying this act into effect, gave rise to complaints, which were investigated in Parliament ; a committee was formed, evidence heard, and animated debates maintained in both Houses.

† See Mr. Fox's speech in the House of Commons, 20th Dec. 1775.

city by opposing the address; in a short period, he resigned the privy seal. General Conway also abandoned the cause of administration, but was not removed from the government of Jersey. The Earl of Dartmouth received the privy seal, and Lord George Germaine, uncle to the Duke of Dorset, succeeded to the secretaryship of the American department. This nobleman, descended from the illustrious race of Sackville, Dukes of Dorset, supported the stamp act under Mr. Grenville's administration. His person, tall and dignified, added force to a manly elocution: his harangues were rather argumentative than florid; without resorting to the artificial graces of oratory, he addressed the judgment, constantly confining himself to the subject under debate; he was concise, and, as he never rose to speak but upon a weighty question, he was heard with attention, and spoke with effect. By him the operations of the war are supposed to have been generally planned, and to him their superintendency was principally entrusted\*. But the great talents of this able minister were counteracted by the unpopularity of his name. It is almost unnecessary to remind the reader, that Lord George Sackville, who had taken the name of Germaine, having, in the preceding reign, after the battle of Minden, demanded a court-martial to inquire into his conduct, was declared incapable of any military employment. This sentence was enforced even with asperity, and when it was confirmed by George II. a severe and unprecedented stigma was added, and commanded to be given out in public orders; and the same day his Majesty in council ordered the name of Lord George Sackville to be struck out of the list of privy-counsellors. By the Rockingham administration he was restored to his seat at the council-board, and appointed joint-vicetreasurer of Ireland. Without entering into the merits of the question respecting his disgrace, his appointment to his new office was undoubtedly very unpopular. Lord George possessed great dignity of mind, and sterling sense; his manners were rather distant than attractive; he was a severe check

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10th Nov.  
Lord George  
Germaine  
secretary of  
state for  
America.  
His character.

\* History of Lord North's Administration, p. 212.

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1775.

10th Nov.  
Other changes.

17th Nov.

Despondency  
of administra-  
tion.

on those who suffered a lavish expenditure through neglect, or to gratify dependents, or with a view to power or popularity.

The Earl of Rochford, retiring about the same time, was succeeded by Lord Viscount Weymouth, who thus resumed the office he vacated at the time of the dispute relative to Falkland's Island. Lord Lyttelton, who on the first day of the session had opposed the address, was gratified with a seat at the council-board, and the office of chief justice in Eyre beyond Trent. Administration gained, or rather, for a time, fixed on their side a florid, ready, and eloquent speaker; but the reproach of versatility, often repeated, prevented the beneficial effects of his exertions.

The efforts of opposition, although unsuccessful in Parliament, threw a gloom, approaching to despondency, over the ministry: the affairs of America became daily more perplexed and unpromising, and the probability that the authority of Congress would be rapidly extended, indicated a necessity for increasing energy. Treaties were concluded with the Landgrave of Hesse, the Duke of Brunswick, and some other continental princes, for troops; an application to Russia was less successful\*.

\* Œuvres posthumes de Frédéric II, Roi de Prusse, t. iv. p. 149.

## CHAPTER THE TWENTY-EIGHTH.

1775—1776.

State of Ireland.—Effect of the American contest.—Money bill rejected.—Contract respecting troops.—Debated in the British Parliament.—Debate on the treaties with German princes.—In the House of Lords.—Motion by the Duke of Richmond.—Debate on the army extraordinaries.—The Duke of Grafton's conciliatory proposition.—Mr. Hartley's proposition to place America on the same footing as Ireland.—Sawbridge's motion for that purpose.—Fox's motion for a committee of enquiry.—Miscellaneous transactions.—Wilkes's motion for a reform of Parliament.—Trial of the Duchess of Kingston.—Motion for inspecting the powers of commissioners.—Against prorogation.—King's speech on terminating the session.—View of the conduct and politics of foreign powers.—France.—Spain.—Austria.—Prussia.—Negotiation with Russia.—State of the press in England.—Dr. Price's publication.—Its effects.—Re-establishment of tranquillity in the city.

IRELAND, as Dr. Franklin had asserted\*, shared in the sensations excited by the American dispute, and, during the government of Lord Harcourt, strong parties were formed, and great exertions growing to maturity. The public was frequently alarmed by accounts of the defection of manufacturers, the migration of labourers, and the successful operations of rioters; but for several years no important transaction occurred.

As the American contest advanced, the Parliament of Ireland and the people of Dublin began again to embarrass government with opposition and cabals,

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1775.

State of  
Ireland.

Effect of the  
American  
contest.



CHAP.  
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1775.

28th Aug.

10th Oct.  
Money bill  
rejected.

23rd Nov.  
Contract re-  
specting troops.

The dissenters were active and violent\* ; and the guild of merchants of the metropolis, beside their address of thanks to Lord Effingham on his resignation, voted a similar compliment to those peers who, "in support of " the constitution, and opposition to a weak and wicked " administration, protested against the American res- " training bills†." The sheriffs and common council were also desirous of imitating the city of London, by transmitting petitions against the measures relating to America, but were restrained by the Lord Mayor and Aldermen. Indignant at this impediment, they declared their anxiety to preserve their names from the odium which all posterity must attach to those who promoted the acts carrying on in America, their grief for the injured inhabitants of that continent, and their own brave countrymen sent on the unnatural errand of slaughtering their fellow-subjects ; and resolved, that whoever refused his consent to a dutiful petition tending to undeceive the King, and by which the effusion of one drop of subject blood might be prevented, was not a friend to the constitution.

The Lord Lieutenant met the Parliament with a speech in which he recapitulated the benefits lately derived from the liberality of Britain, reprobated the rebellious spirit of the Americans, and recommended attention to the discharge of arrears which had been unavoidably incurred. A money bill was prepared and transmitted to England ; but, having been altered in council, was on its return rejected by Parliament ; which prevented an immediate supply.

In pursuance of the plan of vigorous operation resolved on in the British cabinet, Lord Harcourt requested the House of Commons to concur in sending out of the kingdom four thousand men, to be taken into British pay, and offering, if it were the desire of Parliament, to replace them, *as soon as his Majesty should be enabled so to do*, by an equal number of foreign Protestant troops, who were also to be main-

\* Gibbon's Posthumous Works, vol. i. p. 496.

† Annual Register, 1776, p. 43. This address was presented under the corporation seal, and published with the several answers of each peer.

tained without expense to Ireland. The House reluctantly assented to the required diminution of their national force, but refused the aid of foreigners in their stead\*, and the opposition unsuccessfully endeavoured to obtain an act for embodying the militia†.

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This was the first important transaction which engaged the attention of the British legislature after the recess. Mr. T. Townshend, after expatiating on the privileges of Parliament, which, though the undoubted right of all the commons of England, were but secondary to that great privilege of keeping the purse of their constituents from the hands of violence, art, or fraud, read the proceedings of the Irish legislature. Lord Harcourt's message, he said, contained two propositions, both binding on the British Parliament; to pay the troops to be sent to America, and to replace them with four thousand foreign Protestants; twelve thousand men were still to be retained in Ireland, which was, at the same time, to be relieved of an annual burthen of eighty thousand pounds. Such a proposition could only originate in the worst designs, or the most consummate folly: for the minister not only engaged that the expense should be borne by the British Parliament, but, adding folly to temerity, promised that eight thousand men should be taken into pay, although no more than four thousand would be in the service of Great Britain. He complained of Lord Harcourt's message as contrary to the privileges of the English House of Commons, derogatory to its honour and authority; and moved for a committee of inquiry.

15th Feb.  
Debated in  
the British  
Parliament.

The debate was long and animated, frequently degenerating into personalities. The defence of Lord Harcourt was not conducted on a consistent principle. Some insisted that the Speaker of the Irish Parliament had mistaken the sense of his message, which purported only that his Majesty, if desired by the Irish and authorized by the English Parliament, would pay

\* The division on this occasion was 106 to 68, and it was considered by the opposition party as a great triumph. Plowden. vol. i. p. 427 to 434.

† See the message, &c. on this subject, Parliamentary Register, vol. iii. p. 313. Parliamentary History, vol. xviii. p. 1129.

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the four thousand foreigners. Others argued, that, at the time of increasing the establishment in Ireland, the King had engaged that twelve thousand troops should always be maintained in that kingdom, except in case of actual invasion or rebellion in England; and the present demand for troops not being within those exceptions, it was necessary the King should be absolved from his promise by those to whom it was made. An application to the Commons of Great Britain would have been a direct violation of the promise to the sister kingdom.

On the other side, it was contended, that the message was an experiment to procure the reception of foreign troops, in order to establish a precedent, which afterwards might be applied to other purposes. It was the aim of administration to habituate both countries to certain notions which must, in the end, reduce the Parliament of each to mere instruments, without will or independence. It was a scheme, however deep, formed on very simple principles, and had a direct tendency to vest in the crown the virtual power of taxing both countries. In Ireland, the minister was to ask some favour; then England was to be pledged; in England, Ireland was to be taxed, in order to maintain the supremacy of the British legislature. The various modes of defence were ridiculed with great success: no two of the confidential servants of the crown agreed in a single sentiment. Some allowed the message to import what was stated in the complaint; others acceded to a part; while a third party modestly contended, in defiance of every rule of rational and obvious construction, that the message meant the very reverse of its manifest import.

In answer to an insinuation by Mr. Dunning, that, although this famous message had been disavowed by the friends of administration in England, the Lord Lieutenant would not have risked such a measure entirely on his own judgment; Lord North acknowledged his co-operation in giving general instructions; but would not charge his memory with having assisted in framing any specific authority on which it was

founded. He thought it, however, perfectly justifiable, and was willing to share in the consequences.

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Mr. Thurlow treated the motion as a mere party squib, denying that the preamble to an Irish law was binding on the Parliament of Great Britain; and Lord George Germaine, while he admitted that possibly the Lord Lieutenant might have misunderstood or exceeded his instructions, and that the bargain was not commendable on the ground of economy, contended that the first part of the message only proposed a matter to the consideration of the Irish Parliament, clearly and legally within the constitutional exercise of regal power. If the King had not promised to retain twelve thousand men within the kingdom, he might, by virtue of his prerogative, have ordered all the troops to any part of the British dominions, without application to Parliament.

Both ministry and opposition testified, in ample and unequivocal terms, the general merits of Lord Harcourt's administration; and the motion for a committee was negatived, and all inquiry refused\*.

Lord North submitted to the House copies of the treaties with the Duke of Brunswick, the Landgrave of Hesse Cassel, the hereditary Prince of Hesse Cassel, and subsequently one with the Prince of Waldeck†. These potentates stipulated to afford an aid of 17,742 men: the terms were somewhat different, but all seemed extravagantly high. Levy money was to be paid at the rate of 7*l.* 4*s.* 4*d.* each: all extraordinary losses in battle, siege, by contagious malady, or shipwreck, were to be compensated by the King, who was also to bear the expense of recruiting the corps. Three disabled men were estimated as one killed; the troops were to take oaths to the King of Great Britain, without prejudicing their allegiance to their own prince; to be employed on no extraordinary service, but to

On the  
treaties with  
German  
princes.

\* 224 to 106.

† The dates of these treaties were 3rd and 15th January, and 5th of February, 1776. That with the Prince of Waldeck was subsequently presented to Parliament: it was made on the 20th of April, 1776. Parliamentary History, vol. xviii. pp. 1156, 1341.

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receive pay, forage, and provision, in common with English troops, and two months' pay in advance. Each of the princes received, beside these sums, a subsidy of disproportionate amount. To the Duke of Brunswick, who supplied four thousand and eighty-four, an annual stipend of 15,519*l.* was secured, so long as his troops received pay, and double that sum in the two years subsequent to their dismissal. For twelve thousand men, the Landgrave of Hesse Cassel obtained 108,281*l.* per annum, and was to receive twelve months' notice of discontinuing the payment, after the forces were returned to his dominions. The Prince of Hesse, who contributed six hundred and eighty-eight men, was recompensed with an annual grant of 6,017*l.*; and for six hundred and seventy men, the Prince of Waldeck received the same sum. The dominions of the princes were also guaranteed against foreign attack.

29th Feb.

On moving to refer these compacts to the committee of supply, Lord North urged the necessity by which they were occasioned. Only three questions, he said, could arise: Whether the troops were wanted? Whether the terms were advantageous? and, Whether the force might be deemed adequate to the intended operations? The reduction of America to a constitutional state of obedience being the great object of Parliament, administration adopted the best and most speedy means of effecting it; men were thus obtained more easily, and much cheaper, than by the ordinary mode of recruiting; and the force thus acquired would, in all probability, compel submission, possibly without further effusion of blood.

Lord John Cavendish reprobated the measure. Britain was disgraced in the eyes of all Europe; impoverished, and, what was if possible worse, reduced to apply to petty German states in the most mortifying and humiliating manner, and submit to indignities never before prescribed to the crown of a powerful and opulent kingdom. First, the troops were to enter into pay before they began their march; a thing unprecedented; secondly, levy money was to be allowed;

thirdly, those petty princes were to be subsidised; fourthly, they *modestly* insisted on a double subsidy; fifthly, the subsidy was to be continued two years in one instance, and one year in the other, after the return of the troops to their respective countries; and lastly, a body of twelve thousand foreigners was, under the express words of the Hessian treaty, to be introduced into the dominions of the British crown, under no controul either of King or Parliament.

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Mr. Cornwall corroborated the minister's assertion, that the pecuniary terms of the treaties were advantageous, and lower than had ever before been obtained: this assertion was strenuously denied by opposition; and Mr. Grenville, Lord George Germaine, and Lord Barrington, in defending the measure, admitted that the terms were such as the princes had prescribed, and necessity compelled the ministry to accept.

The general principle of letting out subjects to hire, to fight in the cause of foreigners, did not escape severe strictures\*; and the expenses of the contest, of which these compacts were a specimen, were anticipated as enormous.

The conduct of administration, in thus engaging the assistance of foreigners, was contrasted with that of the Americans. "As a proof of their desire for peace, they tell you they have not called for aid on the rivals of your grandeur: in reward of this forbearance, their petition is rejected unheard; Parliament is told, the King has with satisfaction received friendly offers of foreign assistance; and answer, that they will cheerfully enable him to avail himself of the offer. An American Congress holds in abhorrence a measure which a British Parliament

\* "I shall say little," Lord Imham observed, "to the feelings of those princes who can sell their subjects for such purposes. We have read of the humourist Sancho's wish; that if he were a prince, all his subjects should be black-moors, as he could, by the sale of them, easily turn them into ready money: but that wish, however it may appear ridiculous and unbecoming a sovereign, is much more innocent than a prince's availing himself of his vassals for the purpose of sacrificing them in such a destructive war, where he has the additional crime of making them destroy much better and nobler beings than themselves."

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“ adopts with cheerfulness. Perhaps the example of  
“ this very act may render their adoption of the same  
“ fatal measure unavoidable. A fatal measure; be-  
“ cause, when foreign powers are once introduced into  
“ this dispute, all possibility of reconciliation is pre-  
“ cluded.”

Germans were peculiarly improper: they would be employed in enslaving and irritating a hundred and fifty thousand of their own countrymen, many of whom fled from tyrants to seek the protection of Britain. Many German and Indian mercenaries would desert, accept of lands, and, although hired by us, league with the enemy.

These objections were not answered in detail; but the necessity of the measure was repeatedly urged; the probability of abridging the duration of hostilities, by the employment of trained veterans instead of raw recruits, was represented as sufficient to counterbalance every disadvantage; and, as the expense was incurred for a limited period, the plan was really economical.

4th March.

In the debate on receiving the report of the committee, an address was voted to the King, on the motion of Colonel Barré, for cloathing the German troops in British pay with the manufactures of this country\*.

5th March.  
In the House  
of Lords.

In the upper House, the Duke of Richmond moved for an address to countermand the march of the foreign troops, and suspend hostilities. He entered into a history of the treaties concluded with Landgraves of Hesse, from 1732 to 1761, shewing that they had constantly advanced in their demands, never failing to establish former extortions as precedents for succeeding exactions. He then computed that, under different heads included in the treaty, and subsequent contingencies, the charge for 17,300 men would not be less than a million and a half; an expense unprecedented in history. Toward the close of the last war, an ingenious gentleman, Mr. Mauduit, calculated that

\* The divisions were, on the question for referring the treaties to a committee, 242 to 88; for agreeing to the report, 120 to 48.

every French scalp cost the nation ten thousand pounds. It would be right to consider the price of an American scalp, when the hire of seventeen thousand foreigners amounted to a million and a half.

His Grace then stated the redundancy of officers in proportion to rank and file; the danger of keeping so many foreigners together under the command of their own generals; and depicted the exposed and perilous situation of England, should France or Spain, taking advantage of our weakness, attempt an invasion.

These observations were ably enforced by the other peers in opposition. The opinion of Sir Walter Raleigh, in his *History of the World*, was quoted against the employment of foreign mercenaries. "They are seditious, unfaithful, disobedient devourers and destroyers of all places and countries whither they are drawn, as being held by no other bond than their own commodity. Yea, that which is most fearful among such hirelings is, that they have often, and in time of greatest extremity, not only refused to fight in defence of those who have entertained them, but revolted to the contrary part, to the utter ruin of those princes and states who have trusted them."

Vehement censures were expressed against the power reserved to a foreign prince of administering justice within the dominions of Great Britain; and, the better to effect it, an executioner with servants formed part of the Hessian establishment\*; nor was any limitation or exception to this illegal power provided, even should the civil government of America be restored. The stipulation to assist Hesse was equally reprobated: if the landgraviate was attacked in consequence of a decree of the imperial chamber, we must excuse our breach of the treaty by our minister's ignorance of the imperial constitutions, or enter into a war, like that in America, not to maintain, but to subvert the liberties of the Germanic body.

In reply, the treaty was stated to be drawn up in the usual forms; the calculations did not prove the comparative dearness or cheapness of the terms: it

\* This was really the fact. See the treaty.



was filled with pompous, high-sounding phrases of alliance; but they were mere phrases, the real object of the contract being, not to create an alliance, but to hire a body of troops which the American rebellion rendered necessary.

On the latter part of the motion, for discontinuing hostilities, the old topics urged against the war were advanced with additional violence, aided by such new arguments as recent events and more modern speculations could supply. Lord Camden, in a bitter philippic, termed the war wanton, cruel, and diabolical. The Duke of Grafton, boasting his knowledge of finance, solemnly averred that there was not a single tax, in the power of the most fruitful invention to devise or conceive, that would increase the receipt at the exchequer. Every impost that could be suggested would interfere with some other already existing: if the war should continue, national credit would be ruined, and the kingdom undone. He prophesied, that when the people were bending under the pressure of taxes, public credit departed, public bankruptcy inevitable, and universal ruin and despair spreading themselves throughout the kingdom, then no longer able to endure such calamities, and expecting no redress where only it can be constitutionally sought, they would seek relief in the means which God and nature had pointed out; no longer looking up to Parliament, which had betrayed them, been deaf to their entreaties, and inattentive to their interests. He treated with contempt the supposed popularity of ministerial proceedings: the numerous addresses, so much relied on, furnished no proof. At no time, since the establishment of monarchy, did this test of public opinion manifest itself more than during the reign of James II. Addresses, congratulations, engagements to support him with life and fortune, poured in from every quarter: yet that infatuated monarch fatally discovered, in the hour of trial, that they were mere effects of ministerial art and court adulation.

The population of America was pompously exhibited: Lord Effingham considered it no exaggeration

to state it considerably above four millions; their pecuniary and military resources were described as truly formidable; the probability of Spanish assistance was urged, and an invasion of Ireland by the French was treated as easy, and, from the disposition of the people, sure of success. The Duke of Cumberland, in a short speech, declared his constant opposition to the oppressive proceedings against America, and considered the motion as full of respect and duty to the crown, and affording a basis for a happy reconciliation with the colonies.

The Earl of Coventry predicted the necessary termination of the connexion between Great Britain and America. "In the body politic," he said, "as in the natural body, the seeds of dissolution are contained in the first vital principles. Sooner or later the event must happen; and human wisdom can only extend the duration of one, as the greatest care and attention, employed on the best native constitution, may prolong the other. Look on the map of the globe, view Great Britain and North America, compare their extent; consider the soil, rivers, climate, and increasing population of the latter; nothing but the most obstinate blindness and partiality can engender a serious opinion that such a country will long continue under subjection to Great Britain. The question is not, therefore, how we shall be able to realise a vain, delusive scheme of dominion; but how we shall make it the interest of the Americans to continue faithful allies and warm friends. Surely that can never be effected by fleets and armies: instead of meditating conquest, and exhausting our own strength in an ineffectual struggle, we should wisely abandon wild schemes of coercion, and avail ourselves of the only substantial benefit we can ever expect, the profits of an extensive commerce, and the strong support of a firm and friendly alliance and compact for mutual defence and assistance."

The ministry were supported by the usual arguments on the general subject of the American dis-

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pute; the history of the colonists was traced to its origin, and their constant disposition to factious resistance clearly demonstrated.

Lord Temple, in a pathetic and judicious speech, reprobated the intemperance of opposition. "The next easterly wind," he said, "will carry to America every expression used in this debate. I do not wish that the nakedness and weakness of my country should stand confirmed by the authority and sanction of testimonies given in this house. It is a time to act, not talk: much should be done, little said: the die of war is cast, the sword is drawn, and the scabbard thrown away." Past experience could not justify confidence in administration; but he would not, by declaring our utter inability to reduce the Americans, furnish a golden bridge for an ignominious, ruinous, and disgraceful peace. "I have heard," he said, "the war called unjust. I know not who in this house has a right to call it so; not those who voted for the declaratory act: those only who denied our right of taxation; and how very few were they\*. I cannot approve of recalling troops, and publishing the terms to which you will yield, till there is reasonable assurance of their not being utterly rejected. Uncommon sagacity and discretion are necessary to the attainment of what all must eagerly wish: when the happy and favourable moment for conciliation shall arrive, I hope ministers will seize it: I wish them success: at least, at such a crisis, I will not hang on the wheels of government, rendering that which already is but too difficult, the more impracticable†."

11th March.  
Debate on  
the army ex-  
traordinaries.

The motion was negatived‡ by a great majority: the proposed address was entered on the journals, with the names of ten peers subscribed, protesting against its rejection, but assigning no reason.

A new debate in the House of Commons was occasioned by a demand of 845,165*l.* for the extraordinaries of last year. Colonel Barré drew a ludicrous comparison between the campaign of Bunker's Hill

\* Only five.

† Lord Temple did not vote.

‡ 100 to 32.

and Lexington, and the glorious exploits of the immortal Marlborough; the forcing of the lines thrown up by a mob in a summer's night, was opposed to the victories of Blenheim and Schellenburgh, and the conquest of Gibraltar and Minorca, the march of Lord Peterborough through the vast kingdom of Spain, and the impressions made by the Duke of Ormond at Vigo and Port St. Mary. Mystic river was compared to the Danube; and the operations of a war that pervaded half Europe, and in which a British army and foreigners in British pay, amounting to seventy thousand men, rendered the power and glory of the British arms immortal, was balanced against those carried on within a circuit of little more extent than the site of the British metropolis. The charge of the former did not exceed two millions, while this, including the expenses of the fleet, cost nearly three.

Hopes of pacification were not yet renounced; or, at least, the members of opposition thought proper to fortify their cause, and embarrass administration, by presenting new projects.

The Duke of Grafton moved for an address, beseeching the King to issue a proclamation, declaring, that if the colonies, within a reasonable time, before or after the arrival of the troops, should present a petition to the Commander-in-Chief, or to the commissioners under the late act, setting forth what they considered their just rights and real grievances, the petition should be transmitted to his Majesty, who would consent to a suspension of arms; and to assure them, that such petition should be received, considered, and answered.

14th March.  
The Duke  
of Grafton's  
conciliatory  
proposition.

Contemplating with horror, he said, the consequences of the bloody conflict, when, on whichever side victory might declare, all true friends of their country would have melancholy cause of grief; he appealed to the humanity of the House, imploring their interference to avert such dire calamities, and prevent the effusion of blood. Since the doctrine of unconditional submission had been espoused, it would

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be merely equitable to let the Americans know the ultimatum of the mother country, as they might then either agree, or risk the consequences of resistance.

Examining the powers of conciliation granted to the commissioners, and comparing them with the King's speech, the Duke professed himself astonished. "What does the clause say? Commissioners are to be appointed; and that is all. What are they to do? To receive submissions. Does it state what, or provide for any conditions? Have the commissioners power to make concessions? Not one: the alternative is resistance, or unconditional submission; eternal hostility, unless America shall instantly disarm, surrender, and submit."

Declining to enter again on the policy of the conflict, the Duke thought administration should possess full and unequivocal proofs of the disposition of foreign nations, before they rushed into a civil war. Little reliance could be placed on general professions; even confidential engagements, as experience had frequently shewn, served merely to amuse and deceive. France and Spain were collecting great naval and military forces; and in the last summer two French gentlemen went to America, had a conference with Washington at his camp, and in consequence of his reference, repaired to the Congress.

In debating this proposition, great latitude of discussion was assumed; Lord Mansfield observed, he never saw it carried to such an extent; almost every matter, connected with the affairs of America, was amply investigated.

The proposed measure was considered as the only one which remained to extricate the country from the inevitable destruction attendant on the romantic system of conquest and coercion; to prevent the dire conflict between resentment and despair. It proposed no terms which might embarrass administration, not even such as must be granted in terminating the war; for very few were now so sanguine as to expect that America, if subdued, could be held in peaceable subjection, under the exercise of taxation. The only

plausible objection was said to be, that, by receding, Great Britain would encourage America to advance more extravagant demands; but even should America not be satisfied without absolute independency, the real ground of the quarrel would be clearly and definitively understood; the sentiments of all parties would be united; administration would acquire stability, and be enabled to unfold their plan of operations; the only subject of debate would then be, whether it were best to conquer or abandon.

To urge that the Americans should not be treated with while armed, was, in fact, to refuse all treaty: for a whole people, engaged in what appeared to them the best of causes, who had already committed themselves so far as to incur the censures of rebellion, would not, while they retained means of defence, forego their only hope, and submit unconditionally to those whom they accused of injuring and oppressing them. The powers granted by the late act of parliament were inadequate to the commencement of a treaty; the man who, under such authority, should make a single concession, without receiving an unconditional submission or surrender, would hazard his neck. To what purpose then send out commissioners, when any treaty or intercourse would be treason against the King, the state, and the legislative rights of Parliament? The people of America were declared rebels; and so described in the very act: no power could accommodate the subsisting disputes but that which announced their crime, unless they submitted unconditionally; and this was the real object in view, though concealed under the flimsy clause for appointing commissioners: it was an attempt to enlarge the powers of the Crown, under pretext of asserting the rights of Parliament; but Parliament was, at all events, to be disgraced.

The peers in administration avowed a resolution not to cease hostilities until America should so far submit as to acknowledge the supreme legislative authority: such was the submission they required; nor could the country with propriety concede, nor, consistently with her honour, dignity, or most essential

interests, disarm or suspend operations, until the colonies acceded to this principle, and by acts of duty and obedience entitled themselves to the favour and protection of the parent-state. When the repeal of the taxes of 1767 was in agitation, America having questioned the right, it was judged expedient to retain a part of the duties till that principle was fully recognized; concessions would now be made on the ground of expediency alone: for if the right of taxation were surrendered, every other beneficial right of sovereignty would vanish, and a total dissolution of all connexion with America must ensue; it would never be entirely abandoned, because essential to the very nature and exercise of civil government.

Ministers had been willing to suppose the disorders local, and fomented only by the delusive arts of a factious few; the people were therefore treated with kindness; every reasonable indulgence granted, and even their prejudices accommodated. In return, they regarded favours as indications of national imbecility; abused lenity and liberality; and imputed humanity and forbearance to timid backwardness and want of ability to assert the rights of the nation. The humanity, equity, and policy, professed by the mover, would be best consulted in sending the armament with the utmost expedition. Fear might exact a conduct which duty or obedience failed to inspire, and thus the effusion of blood would be spared.

Every object proposed by Parliament since the commencement of disputes would be frustrated by adopting the motion. England would become the jest of Europe, and the ridicule of those very people for whom the benefit was intended. Without the hope of saving a shilling of the enormous expence attending the armaments, Great Britain would lose a campaign, of which the enemy would avail themselves, and the next spring the same course must be renewed. Nor would the force sent out preclude accommodation; it might restore the colonies to their senses, but would not prevent the reception of terms consistent with the dignity of Parliament and rights of the parent state.

The powers granted to the commanders in chief, or commissioners, were declared to be clear, sufficient, and consistent with the King's prerogative.

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An attack from our habitual enemies was considered chimerical. Lord Weymouth officially assured the House, that at no time within his knowledge or recollection had Great Britain less reason to be jealous or suspicious of those courts. Ministry had received repeated assurances, accompanied by unequivocal proofs, of their pacific intentions; and although they should entertain sentiments diametrically opposite, it was not in their power to involve this country in a war, or impede the operations against the colonies. The two French gentlemen who visited Washington, and proceeded to Philadelphia, were travellers actuated by curiosity, or traders intent on mercantile speculation.

Lord Sandwich ably vindicated the state of the navy from several objections, general and particular. Lord Hillsborough explained, and justified his letter to the American governors in 1769. Lord Shelburne, although he spoke and voted in opposition, disclaimed the sentiments of his associates with respect to the King's prerogative of employing or disposing of his military force\*. Lord Dartmouth, after observing that as the Duke of Grafton had framed his motion, and

\* Lord Shelburne's opinion on this occasion deserves particular notice: he said, "The disposition of the army in particular, I predict, will be the source of great doubt, and no small contrariety of sentiment both here and in America. I however put in my claim to be understood as by no means giving up or being willing to relinquish the right inherent in the Sovereign, of ordering, directing, and stationing the army in whatever part of the empire he may think proper; and I confess it is with no small astonishment and uneasiness I have heard doctrines of a very different nature maintained within this House by several lords, whose more particular business it is to watch and take care that his Majesty's just prerogatives be maintained entire and undiminished in all their parts. I particularly allude to the transactions in Ireland, and the language held by the Parliament of that kingdom. When I hear it asserted that the military force of this empire is to be divided into separate establishments, not under the immediate controul of the Sovereign; when I hear it maintained that it is not competent for his Majesty to send foreigners, under the sanction of a British Parliament, into any part of the empire for its particular defence, or for the safety of the whole; when I hear that a certain local military establishment is fixed, and, as it were, locked up in Ireland, so as not to be called forth, as the exigencies of affairs may require; I cannot forget my duty so much as to be silent, and not to express my most hearty disapprobation of doctrines so derogatory to the prerogative of the Crown, and the controuling and superintending power of the British Parliament."



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1st April.  
Mr. Hartley's  
proposition.

supported it by arguments which seemed to imply an alternative of war, for the purpose of conquest or unconditional submission, moved the previous question in preference to a direct negative. The Duke's motion was lost\*, and no protest entered on the journals.

Mr. Hartley, afterward, presented to the House of Commons the form of an address for empowering the commissioners to offer to the Americans some specific line of rational obedience, instead of unconditional submission; to give assurance of redress of grievances, with full security of all constitutional and chartered rights, and to issue a proclamation promising that they should be placed on the same footing with Ireland, in regard to pecuniary grants.

10th May.  
Sawbridge's  
motion.

Sawbridge, who had succeeded Wilkes in the office of lord mayor, by the instruction of his constituents, moved, in conformity with Mr. Hartley's suggestion, to place the American colonists in the same situation as the people of Ireland. In the debate, more heat than judgment was displayed: Mr. Temple Luttrell styled the King's speech a sanguinary parole, the ministry an infernal administration, and declared he should in future consider acquiescence and quietude unworthy of a British soul, and highly criminal. Thales of Miletus, one of the seven sages of Greece, he said, had observed, that of all wild beasts, the worst was a tyrant; of tame ones, a flatterer. When he surveyed his Majesty's efficient ministers, his domestic minions, he wished, like another Orpheus, to play up a second dance in the midst of this menagerie, so as to send them scampering from the rich pastures of a court, to their native tramontane fastnesses. This pedantic ribaldry produced only some smart animadversions from Mr. Rigby, and the motion was negatived†.

Mr. Fox's  
motion for a  
committee of  
inquiry,  
20th Feb.

The intelligence received from America in the course of the session gave rise to several motions for inquiry and papers. The first effort was made by Mr. Fox, who, assuming for argument that the principles by which ministers were actuated were perfectly just, contended that their mismanagement and misconduct

\* 91 to 31.

† 115 to 33.

were indisputable. He reviewed historically the coercive plan, and placed in the strongest light what he styled folly in the cabinet, ignorance in office, inability in framing, and misconduct in executing, with such a shameful and servile acquiescence in Parliament, as never before disgraced a nation. If ministers had planned with wisdom and proportioned the force to the service; if the great officers in efficient departments had acted ably and faithfully, the miscarriages might be deservedly imputed to the naval and military commanders. If, on the other hand, the latter acquitted themselves according to their instructions, and carried on their operations in proportion to their force, it was no less plain that the cause of all the disgraces which the British arms had suffered, arose from ignorance in those who planned, and incapacity and want of integrity in those to whom the execution was in the first instance entrusted. His motion was for a committee to inquire into the cause of the ill success of his Majesty's arms, and the defection of the people of Quebec.

The chief aim of opposition seems to have been a justification of the American invasion of Canada; the previous question was moved early in the debate. The principal objections to the inquiry were the unfitness of the time, the unfortunate situation of ministers, who had preferred trying measures of lenity to absolute force, and had thus afforded the Americans many advantages. A powerful fleet and army were now to be employed, and would doubtless crush the rebellious, or bring them back to a proper sense of duty. The minister appealed to the candour and recollection of the House: nothing had been transacted in a corner, but openly, and under the sanction of their repeated approbation. It was not candid, in an early period of the dispute, to state objections against the conduct of administration, which were only applicable to a state of hostility and open rebellion; when the ground was changed, the measures would necessarily vary.

Mr. Fox's proposition was rejected\*.

\* 240 to 104.

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Miscellaneous  
transactions.

6th March  
and 30th April.

21st March.

Wilkes's  
motion for a  
reform of  
Parliament.

15th April.  
Trial of the  
Duchess of  
Kingston.

22nd May.  
Motion for in-  
spection of the  
powers of  
commissioners.  
23rd May.  
Against pro-  
rogation.

In this active session, opportunities were found of urging other topics beside those which most interested the nation. Bills were introduced for the improvement of police and social regulation, and the relief of insolvent debtors. Some transactions at the late general election, which were disclosed in consequence of the petition of Mr. Mortimer against the return for Shaftesbury, afforded grounds for new speculations on the subject of representation. Alderman Sawbridge made his accustomed motion respecting the duration of Parliament; and Mr. Wilkes, besides his usual attempt to reverse the decision on the Middlesex election, brought forward a project of parliamentary reform.

He explained, as his general outline, that every free agent in the kingdom should be a constituent; that the metropolis, which contains a ninth part of the population, and the counties of Middlesex, York, and others, which abound with inhabitants, should receive an increase in the representation; that the mean and insignificant boroughs, so emphatically styled the "rotten part of the constitution," should be lopped off and the electors thrown into the counties; and the rich, populous trading towns, such as Birmingham, Manchester, Sheffield, and Leeds, permitted to send deputies to the great council of the nation. The long speech which recommended this proposal was replete with ribaldry and invective, and the motion for leave to bring in a bill was negatived without a division.

The Lords were occupied on the trial of the Duchess of Kingston for bigamy; she was found guilty; but, being exempted by the privilege of peerage from corporal punishment, was discharged on paying the fees.

Although the affairs of America had already been abundantly discussed, an ineffectual attempt was made by General Conway, on the day before the prorogation, to carry a motion for submitting to inspection the pacific authorities with which the commissioners were invested\*; and when the King was expected in

\* The division against the motion was 171 to 85.

the House of Lords, Mr. Hartley proffered a motion, which was negatived, for an address that Parliament might not be prorogued, but continue sitting by adjournments during the summer, that they might be ready to receive information, and provide at the earliest moment for every important event.

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In terminating the session, the King represented the country as engaged in a great national cause, the prosecution of which must inevitably be attended with many difficulties and much expense; but, considering that the essential rights and interests of the whole empire were deeply concerned in the issue, and no safety or security could be found but in the constitutional subordination contended for, no price could be too high for the preservation of such objects. He still entertained hopes that his rebellious subjects might be awakened to a sense of their errors, and, by a voluntary return to duty, justify him in bringing about the favourite wish of his heart, the restoration of harmony, and re-establishment of order and happiness in every part of his dominions.

King's speech.

His Majesty also informed Parliament that no alteration had happened in the state of foreign affairs since their meeting, and dwelt with pleasure on the assurances he had received of the dispositions of the European powers, which promised a continuance of the general tranquillity.

An implicit reliance on such promises or appearances, at a moment when Great Britain was engaging in a formidable and extensive civil war, would have been extremely imprudent. Assurances of amity from rival powers, taught by the hostility of ages to consider each other as natural enemies, must always be regarded with suspicion; and on the present occasion that feeling must have derived strength from the positive boast of the Americans, that it was in their power to obtain foreign assistance\*. The conclusion of the last war, so mortifying to the pride of the house of Bourbon, rendered it probable that the courts of

View of the  
conduct and  
politics of  
foreign powers.

\* Chap. 26.

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France and Spain would, by all indirect means, foment and encourage the prevailing misunderstanding between Great Britain and her colonies; and perhaps, should hostilities be long protracted, take an active share. There was, however, no immediate danger of a rupture. No indemnities could be offered, no hopes of aggrandizement were presented: nor did commercial advantages of a momentous nature present themselves; and, notwithstanding the flattering prospect of humbling a haughty rival, the inclination to interfere between the mother-country and the colonies would be repressed, by considering that reconciliation was not yet desperate; and in such an event the officious intermeddlers would be left unsupported to sustain the combined resentment of both. But although a sudden junction of France or Spain with the Americans was not to be dreaded, yet it was probable that a covert, clandestine, or equivocal assistance, would be afforded, until the resources and strength of each party were fully tried, and the breach become irreparable.

France.

Nor did the peculiar state of France or Spain furnish reasons for expecting the commencement of hostilities. Many disputes had arisen on the subject of territorial possessions in India, the unsettled accounts of the last war, the demolition or extension of works at Dunkirk, settlements in Africa, the Newfoundland fishery, and contraband trade, and small naval armaments were occasionally formed; but, in general, the French minister, the Duc d'Aiguillon, seemed to conform to the pacific views of the indolent and voluptuous monarch, who abhorred any project which portended interruption to his luxury or disturbance of his repose. The last years of Louis XV were marked with the weakness and violence of a poor, proud, tyrannical government; but, whatever might be his personal bad qualities, his death was deplored by all who wished for the peace of Europe. The accession of his grandson, Louis XVI\*, was hailed as an event promising the most beneficial consequences to the nation. His amiable youth, integrity of character, and love of virtue,

10th May, 1774.

inspired sanguine hopes of a prosperous reign ; his marriage with Marie Antoinette of Austria, daughter of the empress queen Maria Theresa, and sister to the emperor of Germany, was regarded as the means of extinguishing the inveterate animosity which had so long rent France and Austria, and both the king and queen were objects of popular adoration. Louis removed an odious administration, reinstated the Parliaments suppressed by the late king, exerted his efforts to relieve the distress occasioned by a scarcity of grain, and shewed a merciful mind in the alteration of penal laws. The friendly disposition of the French government toward Great Britain had been unequivocally demonstrated ; and the expectation that succour would be afforded to the Americans was suppressed by an edict prohibiting all intercourse with them\*. Opposition, however, in the late session of Parliament, reasoning as well from general system as from information which they professed to have received, often considered the interference of France as certain. The idea of foreign danger, it was observed, might be thought visionary ; but France and Spain were both arming, and could not, in fact, avail themselves of a better opportunity. M. de Vergennes, who held the reins of power, was supposed to be desirous, if not of peace, at least of avoiding a hasty declaration of hostility. The queen was said to be biassed by Choiseul, the lover of war, and the great enemy of Britain† ; but her influence was counteracted by that of the King's aunts, who were inimical to de Choiseul ; and the first appointment of ministers, both domestic and foreign, gave surprise to the court of Vienna, who saw almost every individual whom the queen was supposed to favour, and whose nomination would have been agreeable to her mother, excluded from the cabinet.

M. de Vergennes always gave explanations and made professions calculated to obviate complaints, to remove suspicions, and to impart confidence in the conti-

\* In April 1775.

† See General Conway's speech in the House of Commons, 22nd May, 1776.

nuance of peace. He expressed, in the strongest terms, and by his sovereign's desire, his intention to live in friendship with his Majesty; his wishes for his success and that of his present ministers, of whom they had a high opinion, and to whom they should be sorry to cause the least uneasiness or embarrassment. The attention paid by France to her marine was ascribed only to the shamefully neglected state in which it had been left by the late minister, M. de Boynes. All knowledge of armaments in Spain was disclaimed, except in so far as they were occasioned by disputes with Portugal in America, which were, after all, nothing more than quarrels between two governors. If the disgraces and the humiliating termination of the last war were deeply felt by a considerable part of the nation, the probability of a new one arising was diminished by considerations of finance and internal governments, and by a want of impulse from the King, who had no military education, nor had ever displayed the least desire of war-like glory. All these circumstances afforded reasons for disbelieving the immediate approach of hostilities; but no firm reliance could be placed on the dispositions of a sensitive people, whose pride had been so severely wounded; a government anxious to secure advantages, from whatever source they might arise; a ministry ready to use every art in concealing the intrigues which they were ashamed to avow; and a monarch whose virtues were rendered unavailing by an unhappy want of firmness, productive to him, at last, of the most calamitous results\*.

\* Many of the facts above stated are derived from dispatches in the State Paper Office; particularly on the 1st of August, the 23rd of September, the 12th of October, and the 3rd of November, 1774. Toward the close of that year (Dec. 7), Lord Stormont, with his usual discernment and clearness of expression, gives a view of the state of opinions and feelings in France. You desire me, he writes to Lord Rochford, to inform you what language is held here on our American disputes. Our wits, philosophers, and coffee-house politicians are, to a man, warm Americans, affecting to consider them as a brave people struggling for their rights, and endeavouring to rescue them out of the hands of wanton and violent oppression. They talk of "No representatives, consequently "no obedience due." This argument they turn in all its various shapes, please themselves with vague, empty, general theories, the common cloak under which men of parts conceal their ignorance, and talk in a manner that would surprise those who are not well acquainted with the country, and do not know with what

Spain, possessing immense and valuable settlements in America, could not, on any principle of sound policy, be supposed capable of fomenting and abetting the rebellion of adjacent colonies, especially when her own were exposed to immediate danger. These obvious causes were sufficient to restrain, for the time, any hostile demonstrations; but a disposition to quarrel, and a desire to excite enmities against us, were apparent in many acts of their government.

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Other powers, whose immediate interference in the affairs of Great Britain was not expected, regarded the American contest with a degree of interest suited to the magnitude and novelty of the crisis, and with such sentiments as their attachment to, or hatred of, the British government suggested. The people in most countries appeared to participate in sentiment with the Americans; but their sovereigns were not disposed to sanction, by their approbation, a mode of conduct so ruinous to the interests of every government. The emperor, Joseph II, with dignified magnanimity, gave at once a decided reproof to all who expected that he should favour, even by tacit compliances, the cause of insurrection; the ports of the Low Countries were shut against the vessels of America, and all intercourse with them was strictly prohibited. At an audience obtained by the British ambassador, the emperor strongly expressed his opinion of the justice of the

Austria.

complacency the French speak of what they least understand, making up in petulance what they want in knowledge.

Men of quite another turn admit our right, but believe that it would be wise in us to waive it, and rather give way to the pretensions of the Americans, however groundless, than bring on a contest by which we must be losers in the end. From the natural and inevitable course of human affairs, increase of population, trade, and strength in the colonies, there must come a period when the spirit of independency would be general. These men pretend that no human policy can prevent this, that all the greatest wisdom could do would be to palliate and delay an inevitable event. They say we have done the direct contrary; first, raised a spirit of opposition, and by attempting to subdue, we should only increase it, and accelerate the period we should have endeavoured to retard.

The ministers are satisfied, that, however they may terminate, these affairs will give us a great deal of disagreeable occupation; the wisest think the evil will be but temporary, if we meet it with moderation and invariable firmness.

I have not been able to discover any traces of a secret intelligence between this country and the Bostonians; but, although it would be improper to betray a suspicion of our rivals, it is wise to entertain it, and not to forget that whenever, wherever they can wound, they will.



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English proceedings, his high sense of the personal worth of the King, and a conviction that success in reducing the Americans was of the utmost importance to all the regular governments in Europe. "The cause in which the King is engaged," he said, "is in fact the cause of all sovereigns; they have a joint interest in maintainancing a just subordination and obedience to law, in all the monarchies which surround them\*. He saw with pleasure the vigorous exertions of national strength which the King was employing to reduce his rebellious subjects, and sincerely wished success to those measures." The empress queen expressed, with no less warmth, her determination to maintain the good understanding between the two crowns, and to prohibit all transactions by which her subjects should seem to afford assistance to the colonies, or give umbrage to England. She had a high esteem, she said, for the King's principles of government, a sincere veneration for his political character, and a hearty desire to see obedience and tranquillity restored to every quarter of his dominions. Her friendship for him, and hereditary affection for the royal family, had never abated, although a difference in political opinions, the source of which she could not help attributing to the King of Prussia, had, for a considerable time, diminished the opportunities of an interchange of good offices†.

Widely distant from the honourable and dignified sentiments and conduct of the emperor, were those of the King of Prussia. In the transports of mortified avarice and resentment at the cessation of his subsidy, he forgot every feeling of gratitude for the generous assistance of this country, by which he had been enabled to retain his existence as a territorial power; his resentment assumed the shape of implacable hostility, and nothing which craft and duplicity could effect to our disadvantage was left unpractised. He

\* Conformable to this sentiment is the expression related by Dr. Moore. "Je suis par métier royaliste." *View of Society and Manners in France*, &c. v. ii. letter 96.

† From private information.

courted the alliance of France, intrigued with the cabinet of Vienna, and at the same time, in the midst of jarring interests, made the greatest efforts to gain an ascendancy over the mind of the Empress of Russia. Although in these machinations, Frederick shewed all the characteristics of an adept in the art of politics, and all the activity of mind so essential to the success of deep-laid plans, he was much declined from that loftiness of genius which, in earlier life, enabled him to avert pressing dangers and achieve mighty exploits. His mind was debased to the level of unworthy passions, hatred fermented into rancour, prudence assumed the tinge of avarice; unsupported by religion, he leaned feebly on the insubstantial support of philosophy, and was the sport of every passion, the slave of every whim which the occasion of the moment inspired. In his person he was disgustingly negligent, not of the appearances of dignity alone, but of those common cares and attentions to propriety which are necessary in old age to render the individual less than insupportable. Regardless of the advice of his physicians, he abandoned himself to an excessive and ill-judged gulosity, by which his health was impaired, and his mind was often so disturbed that he was obliged for certain periods to seclude himself from all pursuits of business. But, at other times, and even in short intervals of malady, his powers of conversation and correspondence, and his facility in the dispatch of business, were not inferior to what he had displayed in his more vigorous days\*.

In his intercourse with Great Britain, distaste and indifference, rather than absolute hostility, had been evinced†; but the time for inflicting a serious injury had not yet arrived. He disapproved the conduct of our administration, although he did not affect to justify

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\* From many documents in the State Paper Office, from 1762 to 1774, and Lord Dover's Life of Frederic II. vol. ii. p. 437 to 462, with the authorities there quoted, and Appendix to this volume.

† In a conference with Sir Andrew Mitchell in 1766, when the triple alliance with Great Britain and Russia was proposed, the King of Prussia, in declining it, quoted the Italian proverb, "*Chi sta bene non si muove*;" to which the English ambassador answered, "*Chi sta solo, non sta bene.*" State Papers.

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the Americans, or wish ultimate failure to the mother-country. It was a difficult thing, he said in a conversation with some English gentlemen, to govern men by force at such a distance; if the Americans should be beaten, which appeared a little problematical, still it would be next to impossible to continue to draw from them a revenue by taxation: "if you intend conciliation," he said, "some of your measures are too rough; and if subjection, too gentle. In short, I do not understand these matters; I have no colonies. I hope you will extricate yourselves advantageously; but I own the affair seems rather perplexing\*."

\* Moore's View, &c. v. ii. letter 75. In the works of the King of Prussia, the affairs of England are treated in a manner which displays at once the ignorance, malice, and presumption of the writer. He was from the beginning of the present reign entirely unacquainted with the politics of Great Britain, and viewed the conduct of its Sovereign and ministers only through the medium of resentment and prejudice. It is fit the *whole* extract, 'containing his opinions on the origin and conduct of the American war should be given, that the reader may judge how little reliance can be placed on the information of this royal philosopher, in matters not immediately subject to his own inspection. After discussing the state of France in 1775, he says, that from a constant spirit of rivalry with England, she saw with pleasure the rising troubles in the American colonies, encouraged, underhand, the spirit of revolt, and animated the Americans to maintain their rights against the despotism which George III was endeavouring to establish, by exhibiting a prospect of succours to be expected from the friendship of the most Christian king. "The court of London," he proceeds, "exhibits a picture totally different from that we have been sketching. Bute, the Scotchman, governs the King and realm; like those evil-working spirits who are always talked of, but never seen, he shrouds himself, as well as his operations, in impenetrable obscurity; his emissaries, his creatures, are the springs with which he moves, at his pleasure, the political machine. His system is that of the ancient Tories, who maintain that it is essential to the welfare of England that the King should be invested with despotic authority, and that, far from contracting alliances with the continental powers, Great Britain should limit herself solely to the extension of her commercial advantages. Paris, in his contemplation, is what Carthage was to Cato the Censor. Bute, if it were in his power, and he could collect them, would destroy in one day all the ships of France. Imperious and harsh in his government, little solicitous in the choice of means, his awkwardness in the conduct of affairs is superior even to his obstinacy. This minister, to accomplish his grand views, began by introducing corruption in the House of Commons. A million sterling, which the nation annually pays the King for the maintenance of his civil list, was hardly sufficient to gratify the venality of the members of parliament. This sum, intended for the expenses of the royal family, the court, and embassies, was annually employed in stripping the nation of its energy; George III had nothing left for his subsistence, and the support of the royal dignity at London, but five hundred thousand crowns, which he drew from his electorate of Hanover. The English nation, degraded by its Sovereign himself, appeared to have no will but his; but, as if all these provocations were not sufficient, Lord Bute attempted a more bold and decisive blow, for the establishment of the despotism he had in view; he induced the King to tax, by arbitrary imposts, the American colonies, as well for the augmentation of his revenues, as to establish a precedent which in a course of time might be imitated in Great Britain; but we shall see that the consequence of this act of despotism did not answer his expectations. The Americans, whom England had not condescended to corrupt, openly opposed this taxation, so re-

The baleful effects of this monarch's malevolence were first manifested in Russia. Catherine the second had extraordinary talents for government, and particularly those which were required in the country over which she was placed. Her intellect was sharp and piercing; her understanding extensive and solid; her courage and self-confidence unbounded. Conscious of her own advantageous situation, and encouraged by continued successes, she considered herself not only secure from neighbouring nations, but capable of deciding their councils and regulating their conduct, and she had long perceived that the conviction which they felt of her superiority in policy and in power, gave her in peace a more effectual ascendancy than she could have acquired by a successful war\*. She successfully cultivated the affections of her subjects, and shewed a true regard for their interests and feelings, by framing for them a code of laws; and she introduced inoculation among them, not by an edict or decree, but by

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"pugnant to their rights, their customs, and above all, to the liberties they had enjoyed since their first establishment. A prudent government would have hastened to appease these rising troubles, but the English ministry were guided by other principles; they stirred up new commotions with the colonies, on account of the merchants who monopolized certain East India merchandizes, which they wanted to compel the Americans to purchase. The harshness and violence of these proceedings completely roused the Americans; they held a Congress at Philadelphia, where, renouncing the yoke of England, now become insupportable, they declared themselves free and independent. From this time we see Great Britain engaged in a war with her colonies; but if Lord Bute shewed himself inexpert in the conduct of this affair, he appeared still more so when the war began. He simply (*bonnement*) imagined that seven thousand regular troops were sufficient for the subjugation of America; and as he was not quite so good a calculator as Newton, he was always deceived. General Washington, whom at London they styled the leader of the rebels, obtained, at the beginning of hostilities, some advantage over the royalists assembled near Boston. The King, who expected to hear of victories, was surprised at the news of this check, and the government was obliged to change its measures." See *Œuvres complètes de Frederick II, Roi de Prusse*, vol. iv. Tit. *Mémoires depuis la Paix de Hubertbourg, 1763, jusqu'à la fin du Partage de la Pologne en 1775*, ch. iv. The extracts, given without suppression, addition, or falsification, will sufficiently shew how little the author understood the history, government, and politics of England. It must excite a smile to imagine the surprise of an English reader who takes these things for true, at finding the system of Lord Bute and the *tories* (of which Frederick perused nothing but newspaper stories and factious babble, transmitted by M. Michel) so consistent with his own prejudices, and at hearing that the splendour of the British court was supported by a revenue derived from the electorate of Hanover. It would be a waste of criticism to expose the historical and chronological errors in this extract, or to expatiate on the malevolence which guided the pen of the writer.

\* State Papers. Dispatch from Sir George Macartney to General Conway, 12th Aug. 1766.

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submitting to the operation herself. Two favourite notions seem to have regulated her early proceedings. One was the formation of an alliance of herself, Austria, and Great Britain; other powers were afterwards added, for the purpose of preserving the peace of the North, and counteracting the effects of the family compact; the other, to prevent such an approximation between France and Prussia as would give to those powers a preponderance injurious to her interest, and particularly in the affairs of Poland. In the early part of her reign, the conduct of Frederick had given her some considerable offence, by a letter from him to Count Finkenstein, which had been intercepted and published, in which he compared her deceased husband to the Greek emperor Zano, and her to his wife Ariadne, and to Mary de Medici. She expressed great disgust at the ungrateful return made by the Prussian sovereign for the benefits he had received from England, and professed, probably with much sincerity, a determination to cultivate British friendship in preference to that of any other country.

But the conduct and decision of courts do not depend entirely on the judgment or disposition of sovereigns. They are guided, and in effect governed, by ministers who may be misled, prejudiced, or venal; Catherine was served by men who did not disguise their venality. A commercial treaty with England, on the basis of that concluded in 1734, was proposed, but its progress retarded by attempts to introduce foreign clauses; to unite with it a defensive alliance and subsidy; the Russian chancellor impeded its progress by a demand of two thousand pounds in compensation for some damage he had sustained through English privateers; and the influence of France was strongly felt in the progress of the discussions.

As the projects for dismembering Poland advanced toward maturity, the influence of the King of Prussia at Petersburg became extensive, and his opinions began to guide those of the Empress. Taught by his minister, she spoke slightly of the British councils, and animadverted on the frequent changes in the

cabinet. He professed to her ministers a great respect for the British nation, and a sincere regard for the royal family, but could have no confidence in the stability of our ministers, or hope for the change of that inactive spirit of insular policy, which he supposed to govern a man, who, although unseen, gave the tone to all administrations\*.

If these unfounded assertions and fallacious pretences did not altogether deceive Count Panin, the Russian prime minister, they at least furnished plausible reasons for him to urge in the discussion of terms of the proposed treaty. It had been originally suggested, that the alliance between Great Britain and Russia should be of the closest description; and, among other things, that a Turkish war should be a *casus fœderis*: but this being objected to, the empress modified her demand, requiring only that we should pay to Sweden an annual subsidy of fifty thousand pounds. This arrangement could not be acceded to, as the British government, rendering annual accounts to Parliament, could not promise to adopt the unusual system of granting subsidies in time of peace. The refusal of this condition, besides the frustration of one of the Empress's favourite plans, threw Sweden more completely into the hands of France, and doubly gratified the King of Prussia, who was become a great favourer of that power, as the rival and enemy of England; and, as it increased his means of inflaming the mind of the Empress. Panin said, "that if he found himself obliged to pay a subsidy to Sweden, which he must if we refused it, he would engage with us no further." The conduct of our ministers in refusing this compact was repugnant to sound policy and the true interest of the nation. "It seems to me," Lord Cathcart observed, "that if at this juncture the King can be put at the head of an alliance with Russia, in which are included Denmark, Sweden, Prussia, and Poland, for the expense of fifty thou-

\* Letter from Lord Cathcart to Sir Andrew Mitchell, 12th November, 1768. State Papers.

"sand pounds per annum, with a Swedish squadron into the bargain, the nation might rejoice, and not grudge the money\*."

If these discussions had a tendency to create any unfriendly feeling in the mind of the Empress, the conduct of England was so amicable, spirited, and generous, that a more favourable opinion must have prevailed. In 1769, during her war with the Turks, her fleet was received, repaired, and equipped in the ports of Great Britain; and Panin acknowledged to Lord Cathcart, that "nothing could equal the attention of his Majesty and his ministers to every thing which could be friendly and useful, except the natural demonstrations of good-will which appeared in every quarter." To evince the perfect disinterested-

\* Letter of the 12th of November, already referred to. In a subsequent dispatch, 31st of August, 1774, Lord Cathcart, referring to this subject, details the sentiments of the Russian minister. "In their secret way of thinking, this court looks upon the family compact, especially with the additional alliance of Austria, as more proper to have given rise to a war than to have caused a general peace." "France," he says, "was at the head of the plan: England is her natural rival; she can have no fixed animosity against other powers, nor any value for their connexion, but relatively to her views against or apprehensions from England. England seemed insensible of the danger of the consequences of their combinations, and of the various movements of France since the peace; or insensible that those movements, though apparently aimed against Russia, were ultimately intended to strike at herself: the friendship between England and Russia, and the never-ending negotiation for an alliance, is the reason why Russia is the butt of the malice of France: France had declared to Vienna, in 1767 or 1768, that in 1770 she should be ready for open war: Russia had communicated it to England; had had the complaisance to vary her pretensions from a Turkish *casus fœderis* to the expedient of a subsidiary alliance between Great Britain and Sweden, and had pressed this arrangement, in 1768, with every argument the common danger suggested: Prussia was acquainted with this idea, wished success to the union of the two empires on these terms, and would have acceded if desired; and Denmark was in the same disposition. Had England, without loss of time, accepted the proposals, not only the alliance with Russia, but the general union of the powers of the North, Sweden included, would have been completed; the late extraordinary diet would have been prevented; and England, who at the time of her late dispute with Spain had not a single ally, would have found herself, with Russia, at the head of many powerful states, confederated for their common defence against the common enemy. England rejected the proposals, granting subsidies in time of peace being contrary to a general rule; but the event has proved how dangerous it is to be governed by general rules in cases proper for exceptions; so England is answerable for all the consequences. The fearing of a war with France prevented her holding at Paris that language, which at a certain time would, without a war, have prevented the loss of Corsica. The same policy of having friends everywhere, and enemies nowhere, occasioned England to hold a middle conduct in many other instances, expensive and disadvantageous for herself, ineffectual for her friends and the common cause, and highly convenient for her enemies, who only suspend the event England so much apprehends till the moment shall be favourable for themselves."

ness of our government in the transaction, three armed vessels, with British passes, having sailed with the Russian squadron for the Mediterranean, were, in consequence of orders immediately issued from the Admiralty, obliged to return. Even at a more recent period, in December 1773, a Russian fleet was allowed to refit in our ports; their sick were sent to our hospitals, and supplied with medicine, wine, and spirits; and British officers were permitted to enter the Russian service\*. And the noble and firm proceeding of Lord Stormont at Paris, when he declared that England would not permit an armament adverse to the interests of Russia, even if it should plunge us into a thirty years' war, was warmly felt, and gratefully recollected†

When, in the late negotiations for a treaty, it was proposed that a war of the Porte against Russia should be deemed a *casus fœderis*, it was suggested, on our part, that an attack on his Majesty's subjects in America or the East Indies should be regarded in the same light; as, without such an agreement, any power hostile to England could defeat her claim to succours from Russia, by compelling us to be the aggressors in Europe. The treaty cannot so properly be said to have been destroyed by the direct rejection of terms as to have been frustrated by evasions and delays. It never did take place; but all the circumstances subsisting between the two countries, and all that could be derived from the expressions of the Empress, led to a reasonable hope that an application for such succours as Russia could afford in the present exigency would be cheerfully granted. Nor was a motive of personal sympathy wanting; for, in her own dominions, the Empress had recently been obliged to struggle against an insurrection of Cossacks, under Pugatscheff, which had continued more than a year, and was at last suppressed by the defeat and capture of the chief. The Empress showed her resentment of

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\* Dispatch from Lord Cathcart to Lord Rochford, 31st of October, 1769; and from Lord Rochford to Lord Cathcart, 17th of April, 1770, and December 1773.

† See p. 8.



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January.1774.  
Application  
to Russia for  
troops.

June 30th.

August 8th.

the crime by ordering the execution of Pugatscheff and four of his accomplices, with torture; while eighteen inferior agents underwent the knout, and had their noses slit.

Among other demonstrations of good-will, the Empress expressed high approbation of the dissolution of Parliament, strongly applauded his Majesty's conduct in general, and was sanguine in the hope that our troubles in America would be speedily terminated. Under these favourable circumstances, Sir Robert Gunning, who had succeeded Lord Cathcart as ambassador at St Petersburg, was directed, with the utmost caution and delicacy to learn from the Empress or her ministers whether, in case it should be found expedient to employ foreign troops in America, his Majesty might rely on her to furnish him with any considerable body of infantry. Should the proposal be favourably received, a subsidy was not to be refused, but taken *ad referendum*. Sir Robert Gunning mentioned the matter to Panin, who, having consulted his sovereign, with every appearance of cordiality, reported her answer. "The Empress had ordered him to give the strongest assurances, and to express them in the strongest terms, of her entire readiness, on this and all other occasions, to give his Majesty every assistance he should desire, in whatever mode or manner he might think proper. She embraced with satisfaction this occasion of testifying her gratitude to the King and nation for the important services she had received in the late war; favours she the more valued and should not forget, as they were spontaneously bestowed, and not the result of any formal obligations or ties on our part. We were as fully intitled to every succour from her, as if the strongest treaties subsisted; she was under no engagements that could clash with, or prevent her from giving us whatever aid circumstances might demand. She found in herself an innate affection for our nation which she should always cherish\*."

\* Verbatim from Sir R. Gunning's Dispatch, 6th August.

To this most acceptable communication the King returned a letter of acknowledgment in his own handwriting; but the warm hopes it was calculated to inspire soon cooled into doubt, and at last chilled into total disappointment. When the ambassador obtained an audience, the general language of the Empress was no less cordial than he could have expected; but on the great point under consideration she was much changed. She recommended a settlement of disputes with America; there were various means, and all should be tried. Sir Robert Gunning answered that the measures pursued were consistent with the dignity of the nation: resentment had not found its way into the cabinet, nor would it. She only repeated her wishes for a speedy termination.

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It was evident that considerable difference of opinion prevailed in the Russian cabinet. Count Panin received the application with satisfaction, and answered it with cordiality. Neither the number of troops, nor the place where it was intended to employ them, furnished any topic of objection; but the vice-chancellor assumed a totally different aspect. He spoke of the state of the empire, just emerged from a ruinous war, the number of men required, the distance of their destination, and many other points, always shewing a disposition adverse to the proposal, although he declared, that if it became matter of debate, we should be sure of his vote. At a subsequent interview, Panin expressed the great repugnance of the Empress at the employment of her troops at so great a distance, where they could have no communication with home. She did not think she could grant so great a number, considering the state of Poland and Sweden; she had not duly considered the matter when she gave her first answer, and inquired whether other modes of assistance could not be devised. The ambassador answered that, under such circumstances, the strongest protestations must be regarded only as words without meaning, and recapitulated, with becoming firmness, the conduct by which Great Britain had entitled herself to a more friendly consideration. He subsequently proposed to

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reduce the required number of troops to fifteen thousand, and to ten thousand; but Catherine, still professing her former sentiments, definitively refused any succour whatever, adding, that as no power in Europe had interfered in the American disputes, they might view with an evil eye her sending such a force to that country\*.

Such an extraordinary vicissitude was no less surprising than embarrassing; but, in viewing it, the personal character and circumstances of the Empress, and the influences acting upon her, must be attentively regarded. "In an absolute monarchy," writes a most able diplomatist†, "every thing depends on the disposition and character of the sovereign. Catherine has a masculine force of mind, obstinacy in adhering to a plan, and intrepidity in the execution of it; but she wants the more manly virtues of deliberation, forbearance in prosperity, and accuracy of judgment; while she possesses in a high degree the weaknesses vulgarly attributed to her sex; love of flattery and its inseparable companion, vanity; an inattention to unpleasant though salutary advice, and a propensity to voluptuousness that would debase a female character in any sphere of life." In gratifying this degrading propensity, the Empress disregarded alike all the laws of honour, dignity, and morality; she did not even affect the sentiment which often is dishonoured by the name of love, but surrendered herself without shame or reserve to the mere gratification of appetite. Favourite was a term used at her court not to denote one who influences the councils and distributes the patronage of the crown, but one who is selected merely as the means of gratification; and, contrary to all modern precedent at least, this occupation was publicly enjoyed and filled, by one man after another, as accident or caprice might dictate. But it was not to be supposed that a person in such a situation would not possess considerable influence in the state. In 1773, Waschi-

\* Dispatches of the dates referred to.

† Sir James Harris's Dispatch to Lord Suffolk, July 31, 1778.

liziew was discarded, and General Potemkin installed in his post. The rejected favourite was a man of calm temper and tranquil disposition, and made no attempts to direct the operations of the state; but his successor caused great alarm to Prince Orlov and Count Panin, the established advisers of the crown. They knew him to be a man of daring, enterprising spirit, of a violent temper, and of a grasping ambition; they knew, too, that he had long desired the distinction which was now conferred on him, and it could not be doubted that he was instigated by the hope of taking a distinguished lead in public affairs\*.

Such were the materials with which the King of Prussia had to work in gratifying his malevolence against Great Britain. The base and dishonourable plans which the empress and he were urging to their accomplishment with respect to Poland, gave him an intimacy and influence which otherwise he might not have possessed in the secrets of her councils and the conduct of her government. He courted the empress's pride by most fulsome flattery†, gained some of her venal ministers by means more obvious and substantial, and insinuated his views to our disadvantage with equal zeal, industry, and perseverance. From the first moment that the English ambassador opened his proposals for Russian assistance, he was apprized of it by communications from Moscow; and to his efforts, aided by his coadjutors, is to be attributed the change in the mind, language, and conduct of the empress, from her first effusion of honest feeling and princely gratitude, to her last mean and disgraceful evasions of all she had expressed, and retractations of all she had promised‡. His efforts were supported and aided by French intrigue. M. Diderot, a philosophical politician of that nation, had established himself in Russia,

Intrigues of  
the King of  
Prussia.

\* Lord Stormont to Lord Rochford, 13th April, 1774.

† A specimen of his skill in this art will be found in the following extract from a letter which he wrote to her on the publication of her code:—"Les anciens grecs, qui étoient, de tous tems, appreciateurs du merite, divisoient les grands hommes, en reservant la première place aux législateurs, qu'ils jugeaient les véritables bienfaiteurs du genre humain. Ils auroient placé votre Majesté Impériale entre Lycurgue et Solon."

‡ Mr. Harris to Lord Suffolk, 8th July, 1775.

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was in confidential intercourse with the empress at Zarsco Zelo, and had considerable influence in directing her political views.

Severe indeed was the disappointment felt by ministers on the failure of their negotiation. In the sanguine confidence inspired by Catherine's first promises, they communicated the intelligence to General Howe, who, with the British force and Russian auxiliaries, expected to make a brilliant and effectual campaign, and was proportionally embarrassed when the secretary of state announced to him the probable failure of his measures\*.

Thus, at the commencement of this most awful contest, was England unfavoured by any active ally or cordial supporter. France and Spain, if for the moment they were quiescent, could hardly be expected, if favourable circumstances should occur, to abstain from giving open and avowed, instead of covert, aid to those efforts which tended to reduce that power toward which they always retained sentiments of jealousy and hatred. The emperor maintained a lofty, but sincere spirit of indifference. Of the vacillation of Russia and the intrigues of Prussia enough has already been said. Holland, which, by all the motives of ancient connexion and all the obligations of treaties, ought to have tendered ready and cordial assistance, showed, by a gloomy reserve, that principles adverse to British interests were making progress in her councils. Other powers were too much engaged, in attending to interests which will be hereafter noticed, to act in or influence our dispute. From their conduct, many nations, apparently neutral, might be deemed allies of the Americans; but their most powerful and active allies were in England. The support which was afforded to their cause in Parliament was rendered effective by the means they took to publish and circulate with profusion all speeches in their favour; while the opposing arguments, and even the

\* Letters from Lord Dartmouth to General Howe, 5th Sept. and 1st Oct. 1775. Gibbon's Miscellaneous Works, vol. i. p. 495, 497, 4to.—Œuvres du Roi de Prusse, tome iv. p. 294.

addresses which loyalty presented to the throne, were suppressed with such tyrannical rigour, that no one could venture to print them without incurring the certain ruin of his property and imminent danger to his person. In England, on the contrary, the press teemed with publications favourable to their cause; the dissenters generally declared in their favour; and all the zeal and artifice of faction were employed in augmenting the number of their adherents.

The most conspicuous publication in their interest was from the pen of Dr. Richard Price, an eminent dissenting minister, called, "Observations on the Nature of Civil Liberty, the Principles of Government, and the Justice and Policy of the War with America, and a State of the National Debt; an Estimate of the Money drawn from the Public by Taxes, and an Account of the National Income and Expenditure since the last War." Proceeding to the full extent, or rather exceeding the limits marked out in this ample title, the author studiously endeavoured to depreciate every part of the English government, and extol the spirit which engendered the American revolt. His means were simple and uniformly applied. In speaking of England, he never assumed a grand or expansive view of the constitution or government; but guided the attention of the reader to some isolated part, some solitary proposition, which, being taken separately from its intimate connexions and relations, afforded subject of exaggerated censure, or unqualified misrepresentation. In speaking of America, on the contrary, he rarely descended to particulars, but took an extensive range among abstract principles, and treated government, liberty, and colonization, not as practical topics, but as subjects of theoretical examination. His work is written with all the art of profound premeditation, and all the heat of unextinguishable animosity against the government of Great Britain. Many publications appeared on the other side from able pens\*; but Dr. Price's pamphlet was extolled by

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State of the  
press in  
England.

Dr. Price's  
publication.

\* Among these may be enumerated, "Taxation no Tyranny," by Dr. Johnson; "the Administration of the British Colonies," by Governor Pownall;

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Its effects.

the clamour of party, as it afforded grounds for justifying the Americans, not only in their present proceedings, but as to their further intentions, whether directed to independence or foreign alliance. The author received the utmost homage which party could bestow; to him was attributed the praise of shewing that the national credit was precarious, and exciting distrust by the manner in which he treated of the loans made from the bank to government. His essay was circulated with profusion and industry, and, being translated into the Dutch language, was supposed to influence the Hollanders in withholding their property from the British funds\*. It was often triumphantly quoted in Parliament: the Duke of Cumberland complimented the author in person†, and the common council of London voted him thanks, and presented the freedom of the city in a golden box.

14th of March  
Re-establish-  
ment of tran-  
quillity in  
the City.

24th June.

Yet these effects were not of considerable duration; applause often repeated grew languid, and ceased to gratify even the zeal of party; and any temporary alarm which might have been excited, soon subsided in the calm of experienced security. The city of London was daily recovering from the disease of factiousness which had so long raged without controul; and all the efforts of two successive Lord Mayors, Wilkes and Sawbridge, were insufficient to keep up, to the desired height, the frenzy of party. Mr. Wilkes, twice foiled in an attempt to be elected chamberlain, vented his spleen in a severe invective against the corporation. "By the late transactions," he said, "the moment seems at length arrived, so ardently wished by every arbitrary administration, when a majority of the livery appear to have sold and surrendered the capital to the ministry. By the crea-

several excellent tracts by Dr. Tucker; and "the Rights of Great Britain asserted," by an anonymous writer.

\* History of Lord North's Administration, p. 232.

† The Duke of Cumberland, seeing Dr. Price in an anti-chamber in the House of Lords, expressed his approbation of the treatise which he had just then published, adding, that he had sat up so late the night before to read it, that it had almost blinded him. Mr. Dunning observed he was sorry his Royal Highness should be so affected by a work which had opened the eyes of the greatest part of the nation.

“ tion of so many unnecessary lucrative offices, the  
“ division and sub-division of contracts, the threats of  
“ the opulent and insolent to necessitous and dependent  
“ tradesmen, and all the captious promises of power,  
“ the greater number of the livery seem at present  
“ either lulled into supineness and a fatal security, or  
“ enrolled among the mercenaries of corruption and  
“ despotism : no longer worthy the name of freemen,  
“ they are sunk into tame, mean vassals, ignominiously  
“ courting and bowing their necks to the ministerial  
“ yoke. Such, it gives me pain to think, is the faith-  
“ ful, but melancholy picture of this once free and in-  
“ dependent city. All public spirit in the capital is  
“ visibly decaying, and that stern, manly virtue of our  
“ fathers, which drove from this land of freedom the  
“ last Stuart tyrant, is held in contempt by their  
“ abandoned offspring. A dissolution of the empire,  
“ ruin, and slavery, are, I fear, advancing with giant  
“ strides upon us. We are ripe for destruction. If  
“ we are saved, it will be almost solely by the courage  
“ and noble spirit of our American brethren, whom  
“ neither the luxuries of a court, nor the sordid lust of  
“ avarice in a rapacious and venal metropolis, have  
“ hitherto corrupted.”



## CHAPTER THE TWENTY-NINTH.

1775—1776—1777.

Transactions in America.—Efforts of General Howe.—State of the American army.—Inactivity of the British army.—Washington takes possession of Dorchester Heights.—Evacuation of Boston.—Severities against loyalists.—Campaign in Canada.—Exertions of Congress and of Arnold.—Carleton makes a sally.—Blockade of Quebec raised.—Action at Trois Rivières.—The Americans evacuate Canada.—Great exertions on both sides to prepare a naval force.—The American fleet defeated and destroyed.—Proceedings in North Carolina.—Loyalists defeated.—Expedition to Brunswick.—Unsuccessful attempt on Sullivan's Island.—Proceedings in Congress.—Efforts to attain independence.—Publications.—Common Sense.—Congress recommend to several colonies to new-model their governments.—Proceedings in Maryland—Philadelphia—Virginia.—Declaration of rights.—Discussion of independency;—it is carried.—Declaration of independency.—Its reception by the people and the army.—State of the American force.—Prudent conduct of Washington.—British plan of campaign.—Arrival of Lord Howe.—Attempt to negotiate with Washington.—Resisted on a plea of form.—Further efforts.—Letter to Franklin.—Battle of Brooklyn.—Retreat of the Americans to New York.—Renewed negotiation.—Committee of Congress confer with the British commissioners.—Treaty terminated.—Declaration of the commissioners.—Preparations for the attack of New York.—Capture of the city, which is set on fire by American incendiaries.—Battle of White Plains.—Capture of Fort Washington.—Successful invasion of New Jersey.—Disposition of the British troops in winter quarters.—Expedition to Rhode Island.—

Capture of General Lee.—Exertions of Congress.—Articles of confederation.—Other measures.—They retire to Baltimore.—Miserable state of the army.—The Hessians stationed at Trenton surprised by Washington.—Lord Cornwallis returns to the British army.—Washington surprises Princeton—and recovers the Jerseys.—General observations on the campaign.

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1775.

WHEN General Howe was invested with the chief command at Boston, he found himself involved in difficulties, surrounded by dangers, and opposed to an enemy whose force and spirit had not been duly estimated\*. The general exerted himself in alleviating the distresses felt by his troops from the want of necessities; but his efforts were not attended with success: the vessels dispatched to the West Indies returned with only scanty supplies; the horrors of an American winter were augmented by a want of fuel; many of the vessels sent from England with coals were lost or captured, and the timber of buildings was used as a substitute.

Efforts of  
General  
Howe.

The Americans were in still greater distress; unused to subordination, divided in opinions respecting the ultimate views of their leaders, loathing inactivity, and regretting the loss of domestic enjoyment, they looked forward with impatience to the period when the termination of their agreement to serve should enable them to revisit their own roofs. Large companies solicited leave of absence, which the commanders dared not refuse, lest a total disregard of subordination should ensue. Dr. Franklin and two other members, deputed by Congress to the camp at Cambridge, as a committee to concert with Washington the means of organizing a new force for the ensuing year, found unexpected and discouraging difficulties. The experience of a year's service had cooled the ardour of enterprise, and abated the confident hope of speedy success; the recruiting was slowly effected, and the Con-

State of the  
American  
army.

\* On this subject, Dr. Franklin wrote to Dr. Price (Oct. 2, 1776). "You despise us too much; and you are insensible of the Italian adage, that there is *no little enemy*." *Memoirs*, vol. ii. p. 220.

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Dec.

necticut troops, whose term of service first expired, quitted the army\*. The accession of recruits was prevented by fear of the small-pox: the whole force under Washington did not, at the close of the year, amount to ten thousand; but was shortly afterward augmented to about seventeen thousand, by drafts from the militia†.

17th and  
18th Jan.  
1776.  
Their wants.

Another cause of alarm and distress to the besiegers of Boston was derived from the deficiency of military stores, which no art could palliate, and no exertion wholly relieve. The coast of Africa was deprived of its stock of powder by a well-concerted purchase, and a considerable quantity was seized on board a vessel near the bar of St. Augustine. One Hopkins also, by a bold and successful expedition to Providence, one of the Bahama islands, procured some valuable artillery; but all these acquisitions were only partial and temporary resources: extensive supplies could not be obtained, the manufacture of gunpowder directed by Congress proceeded with discouraging tardiness, and, even when individuals were obliged to give up their arms for the public service, two thousand of the infantry still remained unsupplied.

Inactivity of  
the British  
army.

While such was the relative situation of the opposed armies, it occasioned much surprise that General Howe should remain pent up in Boston, and make no military effort to relieve the miseries of his own troops, and crush the hopes of the Americans. He was not altogether uninformed of General Washington's distresses, and this want of enterprize enabled his opponent justly to speak of his own exertions and situation as unparalleled in the annals of history; he had maintained his post for six months without powder; and at the same time had disbanded one army, and recruited another, within musket shot of more than twenty British regiments‡. But, in justice to the English commander, it should be observed, that

\* On their way home, several were arrested by the country-people and compelled to return.

† Ramsay, v. i. p. 258. Washington's Letters, v. i.

‡ Washington's Letters, v. i. p. 71. Sparks's Life of Washington, vol. i. c. 7.

his inaction was not without just and reasonable causes. He was not so correctly apprized of the destitute state of his opponent with respect to ammunition, as to found on it any assured hope: he felt most painfully the inadequate number of his own forces to any effectual enterprize; his applications to government on this head were frequent and urgent; and it was considered that if there were a certainty of driving the rebels from their intrenchments, nothing but reputation would be gained. Victory could not be improved, from the want of every necessary for a march into the country. Our loss would be great and irreparable, whilst the number of the enemy might soon be rendered as great as before their defeat\*.

In this interval, the American general often felt the approaches of despondency†; but was never deserted by his courage, or by that more rare quality of perseverance which presses forward with manly firmness toward its ultimate object, not deterred by dangers, nor goaded into injudicious exertion by peevish clamours or petulant reproaches. Many of these assaults Washington endured with undisturbed serenity; it was alleged that vigorous efforts would succeed in expelling the English from Boston, and he was accused of delaying effectual exertion for the sake of prolonging the period of his command. When his army was sufficiently reinforced to justify the risk of a decisive measure, a council of war resolved, as the most effectual means of expelling the English before the arrival of succours, to obtain possession of Dorchester Heights‡.

General Clinton had frequently remonstrated with General Gage and his successor on the importance of this post; but, as Boston was to be evacuated, and a more central position assumed, no attention was paid to this object. Washington, for a feint, commenced a bombardment of the town on other points, which, from the unskilfulness of his engineers, and the deficiency

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Prudence of  
Washington.

February.  
He takes  
possession of  
Dorchester  
Heights.

\* General Howe's dispatches, and particularly one from General Gage to Lord Dartmouth, 1st Oct. 1775.

† Washington's Letters, v. i. p. 84—91.

‡ Ramsay, v. i. p. 261.

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1776.

5th March.

4th March.

of powder, excited more derision than alarm; but the garrison was suddenly surprised by observing the Heights of Dorchester fortified with lines of defence, of which, on the preceding evening, not the smallest indications had appeared. This masterly manœuvre was performed in one night, by a body of two thousand men under General Thomas, who carried on their operations with equal zeal and diligence, and with such profound silence as to prevent suspicion and ensure success.

A violent storm and flood prevented an intended attack on the Heights, the ascent to which was almost perpendicular; and the enemy, as a means of defence, had chained together hogsheads filled with stones, intending to roll them down on the heads of the assailants: these complicated difficulties, and a remonstrance from the admiral that the ships could no longer remain secure in the road while the enemy retained the Heights, accelerated the evacuation of Boston. Nearly a fortnight was spent in preparing for the embarkation, during which the enemy offered no molestation. The British army, together with a great number of refugees, speedily arrived at Halifax.

Evacuation  
of Boston.

17th March.

Severities of  
Washington.

On taking possession of the town, General Washington confiscated the estates and effects of emigrants, tried the royalists as public enemies and betrayers of their country, and sequestered their effects for the public service. His entry exhibited all the pomp of victory. The provincial legislature complimented him with an affectionate address; and Congress accompanied their vote of thanks with an honorary medal.

Observations.

The retreat from the capital of Massachusetts Bay had long been meditated and resolved upon, but was prevented by the want of transports and other circumstances; had it been voluntary, it would have been viewed only as a manœuvre of war; but when it seemed compulsory, it was dishonourable and disadvantageous to the British arms. The credit of enterprise, and fame of achievement accruing to the enemy, were of the highest importance to a people yet in the rudiments of the military profession, doubtful of their

own strength, rather daring than confident, qualified only for sudden exertion, unimproved by practice, and unrestrained by discipline. But acquisitions more solid than these speculative advantages arose from the precipitate evacuation of Boston: the barracks were uninjured, the cannon were only in part rendered unfit for immediate service, immense stores were left untouched\*, and not a dwelling was damaged, except those which had been consumed for fuel. Thus was Boston, the cradle of revolution, and the primary object of parliamentary vengeance, left to the possession of the enemy, rather improved than injured by the residence of a royal army, and thus the Americans received the means as well as the earnest of further success.

From the circumstances attending this event, it has been asserted, that a compact was entered into between the opposing generals, granting a suspension of hostilities during the embarkation, as the price of forbearing to injure the town. The existence of such a convention, always denied by the British ministry, is amply disproved by the testimony of General Washington himself, who assigns clear and satisfactory reasons for not attacking the royal army†. Many vessels, which arrived after the evacuation, fell into the hands of the enemy; those laden with stores were a valuable acquisition; ships were stationed off Boston to prevent such accidents; but, from the peculiar situation of the harbour, the captains were not always able to effect their orders.

Since the death of General Montgomery, the interests of the Americans had suffered a rapid declension in Canada. The intelligence of his success inspired Congress with unbounded hopes; and even after his fall some measures were proposed, but feebly pursued, for giving effect to his designs. Specie was

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Campaign in  
Canada.

Exertions of  
Congress.

19th Jan.

\* The ordnance and stores thus abandoned consisted in 250 pieces of cannon, half of which were serviceable; 4 thirteen and a half inch mortars; 2,500 chaldrons of sea coal; 25,000 bushels of barley; 600 bushels of oats; 100 jars of oil; and 150 horses. This large supply was of the utmost importance to the enemy, who were labouring under the greatest want both of stores and provisions.

† Washington's Letters, v. i. p. 106, 107, 108. And Sparks's Life of Washington, chap. viii.

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1776.

Exertions of  
Arnold.  
11th April.

voted, and a small sum obtained; reinforcements the decreed, but the levies were sparingly filled; a dress was framed by Congress; printers and preachers, were dispatched to propagate the American system in Canada; and a deputation, headed by Dr. Franklin, was appointed for the purpose of luring the people into an association, by a promised participation in all the advantages of the confederacy, the freedom of religion, and peaceable possession of ecclesiastical property\*.

Before the breaking up of the frost, Colonel Arnold was joined by six companies of a new-raised regiment under Arthur St. Clair; but although his spirit and activity had enabled him, with the small residue of the invading army, to keep Sir Guy Carleton in continual alarm, his resources were inadequate to the extent of his enterprize; and the misconduct and brutality both of officers and soldiers completed the alienation of the natives. The small-pox spread among the troops with such virulence, that when their nominal muster amounted to three thousand, not above nine hundred were fit for duty. Arnold, however, erected batteries on the shores of St. Lawrence to fire the shipping, made an irruption into the suburbs, and burned a few houses; but was repulsed, and the vessels remained uninjured.

Carleton  
makes a  
sally.

6th May.

Reinforcements being daily expected from England, and the impracticability of making an effectual impression on the city being sufficiently proved, the American generals became anxious to retire. They were taking measures for this purpose, when the *Isis* man of war and two frigates, the first which arrived from England, with great labour, conduct, and resolution, forced their way through the ice, not yet deemed passable, and cut off all communication between parties on different sides of the river. Carleton, availing himself of their consternation, made a sally. The Americans were already retreating, the confusion soon became general, and they fled, unresisting, on all sides,

\* Ramsay, v. i. p. 265, et seq.

own saving their artillery, stores, scaling-ladders, and every other incumbrance, and solicitous only for personal safety. As the King's troops could not pursue, the slaughter was inconsiderable; a few sick fell into the hands of the victors, and some small ships of war, having worked their way up the river, took and recaptured several vessels. The Americans, in a few days, were collected at Sorrel.

Thus was the siege or blockade of Quebec raised, after a continuance of five months. To the excellent military conduct of Sir Guy Carleton, great applause is due for the preservation and deliverance of the place: his humanity and prudence are equally admirable. Learning that several fugitives were concealed in the woods, he issued a proclamation, assuring them and his prisoners of relief, protection, and safe conduct to their places of residence. This conduct was not imitated by the Americans, whose treatment of the British captives was always harsh, and often wantonly cruel\*.

A small party of British and Indians, under the command of Captain Foster, proceeded from the post of Oswagatchie, and captured the Cedars, situate about thirty miles from Montreal: in several subsequent skirmishes, many prisoners were made, whom the Indians were with difficulty prevented from butchering according to their custom; but when a cartel was arranged between Captain Foster and Colonel Arnold, Congress refused to ratify it, on a false and unfounded pretence that their prisoners had been treated with inhumanity†.

Reinforcements from Ireland and England, a detachment from General Howe, and another of foreign troops, having augmented the army in Canada to thirteen thousand men, Sir Guy Carleton pursued the rout of the Americans to Trois Rivières, a village midway between Montreal and Quebec. The enemy, in their retreat, had also met some succours sent by Congress, and attempted to surprise the royal forces.

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Blockade of  
Quebec  
raised.  
Carleton's  
humanity.

May.

May.  
Action at  
Trois  
Rivières.

\* Stedman, v. i. p. 169. Washington's Letters, v. i. p. 146.

† Stedman, v. i. p. 175. Washington's Letters, v. i. p. 284, 285.



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1776.

8th June.

The project was at once rash and desperate; but the shame of failure in the invasion of Canada, the importance of retaining it, and the necessity of employing the troops in some decided action, influenced General Thomson, now Commander-in-Chief, to essay the perilous enterprize. The divided state of the royal forces alone presented a prospect of success. A considerable body was stationed at Trois Rivieres, under Brigadier-General Frazer: another portion commanded by Brigadier-General Nesbit, lay near them on board the transports, while a far greater number under Carleton Burgoyne, Philips, and the German General Reidesel, were scattered on the land and water in the way from Quebec. Thomson proceeded with the utmost caution, coasting in the night, and concealing his forces by day. On landing, however, his troops were discovered by a peasant; and General Frazer was enabled to make preparations for repelling the attack. The Americans, notwithstanding their hopes of success by surprise were frustrated, behaved with great spirit, and secured a retreat, though not without considerable loss. Thomson himself, with about two hundred of his men, were taken prisoners. Colonel St. Clair, who succeeded in the command, with equal judgment and intrepidity extricated the army from their perilous situation, and in a few days, after experiencing many hardships, they joined the main body at Sorrel; Carleton pursued, but not with sufficient alertness; for, two hours before his first division arrived, the enemy had evacuated the place.

Americans  
evacuate  
Canada.

General Sullivan, who conducted the retreat from Canada, led his troops through a difficult and dangerous tract of country, and, in the face of a superior force, effected their safety, preserved their cannon, baggage, and stores, and brought off a numerous body of sick. The Canadians who had been seduced into the interest of the invaders, pursued their retreat with expostulations and reproaches; but their complaints met with little attention.

1st July.  
Great ex-  
ertions of

The American army crossed lake Champlain, and reached Crown Point; General Gates, who had been ap-

pointed to command them, on learning their ill success, remained within the province of New York. The Americans having effected their retreat, diligently employed themselves, under Arnold, in equipping sixteen vessels, carrying ninety guns, constructed like those in the Mediterranean, either to row or sail, for the purpose of commanding lake Champlain.

Sir Guy Carleton, assisted by the able and indefatigable exertions of General Philips, who commanded the artillery, Commodore Douglas, Captain Pringle, Lieutenants Schanks, Dacres, Pellew, Longcroft, and Fawkenner, of the navy, collected a flotilla of five armed vessels, and twenty-two gun-boats, carrying eighty-seven guns. The armed vessels were manned by naval officers and seamen; the gun-boats by the British and Hessian artillery under their own officers, with merchant seamen to row them. Captain Pringle, with the rank of Commodore, commanded, and on board his vessel Carleton went as a passenger.

The enemy having advanced to Point-au-fer, the flotilla, by great exertions, was enabled to quit St. John's. The army, under Lieutenant-General Burgoyne, followed as far as Cumberland Bay, having been instructed to await the success of the naval attack.

The gun-boats drove on shore, on Valcour island, an American brig of fourteen guns; the Indians, who attended the fleet in canoes, landed and retained possession of the island, between which and the eastern shore of the lake the enemy's fleet was anchored. The gun-boats, with such vessels as could work into the bay against the wind, assailed the enemy; the firing continued till sunset, during which time three American vessels were destroyed, with about seventy men killed and wounded, while the British lost one gun-boat and twenty men.

Anticipating a certain defeat when the armed vessels and gun-boats could be enabled to act conjointly against his crippled fleet, Arnold dexterously passed between the British armament and the shore during the night, and at day-break, almost the whole

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both armies  
to prepare  
a fleet.  
22nd Aug.

September.

5th Oct.

11th.

12th.

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13th and  
14th.

of his force was out of sight. A pursuit was commenced, and a gale of wind, which dispersed his squadron, was so favourable to the English, that in the two succeeding days, three vessels, with Brigadier-General Waterbury, were captured; six more Arnold ran on shore and burned, and with only three he escaped to Ticonderoga.

In this exploit, several singular circumstances deserve to be particularly commemorated. Lake Champlain is ninety miles in length, and at the widest part twelve in breadth, situated upward of seven hundred miles from the sea, at the mouth of the river St. Lawrence. The vessels were constructed in England, and, after crossing the Atlantic, taken to pieces and carried by land sixteen miles, from Fort Chamblée to St. John's, the river being impassable and too shallow for their draught. The number of British naval officers who afterwards acquired high renown, many of whom began their active service in this expedition, is also remarkable. The Americans laboured under almost equal difficulties with the English in forming their armament, and the gallantry of Arnold should not be forgotten: when under the necessity of firing six of his vessels, he remained on board his galley till she was completely enveloped in flames, and left his flag flying in a situation where it could not be struck.

No impediment now remaining, the English took possession of Crown Point, where they found the works, with barracks for a thousand men, in a state of decay. Preparations were made for rendering them capable of defence, and leaving a garrison; but from the advanced period of the season, it was deemed impracticable to secure supplies of provisions, while Lake Champlain, neither entirely open, nor completely frozen, would soon become impassable till after Christmas. The garrison of Ticonderoga was considered too numerous to afford hopes of a successful assault on the works, and the army evacuated Crown Point and returned to Canada, having destroyed a material obstruction to the operations of the next summer, and strengthened the British fleet so as to preclude all

Close of  
the cam-  
paign in  
Canada.

16th Nov.

probability of the building and equipment of another squadron by the enemy to dispute the command of the lake in the ensuing spring\*.

After his expulsion from the government of North Carolina, Governor Martin used many efforts to regain the colony, and expected considerable succours under Sir Peter Parker and Lord Cornwallis. By means of trusty emissaries, he embodied, under the command of Colonels Macdonald and Macleod, the Scotch emigrants, and a number of resolute unruly men, called regulators, who lived in a wandering state of independence, chiefly occupied in hunting. The enemy immediately collected a force under Colonel James Moore, afterward a Major-general. The plans of the loyalists were discovered and counteracted: for want of unanimity they suffered an important period to elapse in conferences, while Moore was joined by five hundred men under Colonel Caswell. Both bodies were stationed near Moore's Creek, and an attack of the loyalists expected, when Moore, during the night, retreated across the water to a place of ambush, taking the planks from the bridge, and greasing the sleepers, so that only one man at a time could advance. Deceived by fires left in the camp, Macleod considered it evacuated through fear, and pressing unwarily forward with a small number of men, was killed, together with most of his followers; some fled, and the residue, including Macdonald, were taken prisoners.

Delays in Ireland, and bad weather, prevented the arrival of the forces embarked with Sir Peter Parker till the season was considerably advanced†. General Clinton, who quitted Boston in December, took command of these troops on their arrival at Cape Fear, and invited the colonists to return to their allegiance; his proclamation, however, produced but inconsiderable effect.

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Proceedings in  
North Carolina.

26th Feb.  
Defeat of the  
loyalists.

27th Feb.

3rd May.  
Expedition  
to Brunswick.

\* In this narrative I have been assisted by valuable private information.

† These consisted of the Bristol of 50 guns, Sir Peter Parker; the Experiment of 50 guns; the Active, Solebay, Acteon, and Syren frigates of 28 guns each; the Sphinx of 20 guns; a hired armed ship of 22; a small sloop of war, and an armed schooner, and the Thunder bomb-ketch. The land-forces under Lord Cornwallis and Brigadier General Vaughan comprised six regiments and seven companies.

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Unsuccessful  
attempt on  
Sullivan's  
Island.  
4th June.

The general next ordered a small party to the town of Brunswick, to try the loyalty of the southern provinces, and ascertain whether they would arm in favour of Great Britain; but the lateness of the arrival at Cape Fear did not afford time for the experiment.

Another expedition was undertaken by General Clinton, in conjunction with Sir Peter Parker, against Sullivan's Island, which principally protected the trade of Charlestown, in South Carolina. After some delays, the fleet reached the place of destination, and the general took possession of Long Island, on the point of which batteries of cannon and mortars were raised, and which was represented as communicating with Sullivan's by a ford passable at low water, and with the main by creeks navigable in boats of draught. On investigating the situation of the ford, Clinton found, to his great mortification, the channel, which was reported to be only eighteen inches, upwards of seven feet in depth: his operations from Long Island consequently became confined; and although his situation occasioned alarm to the enemy, yet as he had not boats for above seven hundred men, he could not attempt any important operation. He informed the commodore that there was no practicable ford, and the consequent impossibility of co-operating; but offered, when the attack should be begun, to make a diversion in the admiral's favour, or to send two battalions to act on his side, in case he and the general officer appointed to command them should be of opinion they could be protected in landing, and employed to advantage; a proposal to which no answer was returned.

18th June.

The defence of Sullivan's Island was conducted by Colonels Moultrie and Thomson, under the direction of General Lee, who had travelled from the main army to a spot north of the Island, where he lay encamped, and maintained a communication by a bridge of boats. The streets near the water were strongly barricaded, the stores on the wharfs pulled down, and lines of defence continued to the water's edge. In a few days, by the labour of the inhabitants, in conjunction with some negroes from the country, such obstructions were

raised as would greatly have embarrassed the royal army in an attempt to land. The Americans gained this interval in consequence of delays to which the fleet was subjected by the weather. When the assault commenced, three frigates (the *Acteon*, *Syren*, and *Sphynx*), proceeding to a point from which they could have assailed the weakest part of the fort, ran aground; two were afterward floated; but the *Acteon* was burnt, to prevent her falling into the hands of the enemy. This accident frustrated the intended co-operation of the troops, who were embarked for the purpose. The fort was built of palmetto, a soft porous wood, which received the cannon balls with little damage, and, although a tremendous firing was maintained till night, resisted its effect\*. The Americans directed their artillery with steady aim and tremendous execution; the ships were reduced to wrecks, and the quarter-deck of the *Bristol* was at one time cleared of every officer except the commodore. For about an hour and a half, the fort was silenced and evacuated, but re-occupied by the Americans when they found the British army could not take possession. In the night the ships slipped their cables, and in a few days the troops re-embarked for New York, leaving the damaged vessels near the scene of action to refit.

This failure in an attack on one of the weakest of the colonies was extremely detrimental to the British cause; it gave additional animation to the hopes of the Americans, and perhaps sanctioned the presumption of some of their measures. Congress expressed warm approbation of the conduct of its officers; and the fort so ably and prosperously defended received the name of *Moultrie*. From some obscurities and adventitious mistakes in Sir Peter Parker's letter and the extract of General Clinton's dispatch, which were inserted in

\* This circumstance is also attributed to the length of the merlons, and the lowness of the fort, which diminished the effect expected from the weight of the shot. The palmetto is a tree peculiar to the Southern states of America; it grows from 20 to 40 feet in height, without branches, and terminates in a head resembling that of a cabbage. The wood is remarkably spongy; a bullet entering makes no extended fracture, but buries itself without injuring the parts adjacent. Ramsay's History of the Revolution in South Carolina, vol. i. p. 144.

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the London Gazette, attempts were made to convey censure on the conduct of the army, and fix on the general the charge of negligence, in having omitted to apprise himself of the state of the fort at a sufficiently early period. General Clinton, however, had communicated that circumstance to the commodore ten days before the attack. If his offer of placing troops on board the ships, or of making a diversion on the side of Mount Pleasant, had been accepted, undoubtedly the fort might have been secured when evacuated by the enemy; an event supposed to have been occasioned by the want of powder, which was afterward brought to them from the main land. In fact, it appears that Sir Peter Parker, from an excessive confidence in the powers of the fleet, rather undervalued, and therefore declined the co-operation of the army\*.

Proceedings  
in Congress.

Efforts to  
attain inde-  
pendence.

However artfully the fact might be veiled, or however strenuously denied, it could not be reasonably doubted, that, from the beginning of the contest with America, a violent and active party had been unremittingly employed in effecting a total separation between the colonies and the mother-country. Every incident which could favour this aim was assiduously cherished, and every expression which could exasperate the colonists studiously amplified. Early in the summer of 1775, Congress passed a vote that the assemblies of the several colonies should instruct their deputies relative to the independence of America. The restraints and increasing difficulties under which the advocates for separation would find themselves in the event of a protracted contest on the present terms, undoubtedly gave impulse to this premature vote. The success which attended their efforts in that campaign, diminished the apparent presumption; the proceedings in the ensuing session of Parliament were descanted on in a manner calculated to forward the intended effect; and all the resources of faction were tried to render this daring measure acceptable.

\* In this account, beside the histories, Gazette, and periodical publications, I have consulted the Memoirs of General Lee, Ramsay's History of the Revolution in South Carolina, and have been favoured with some unpublished documents.

The press was necessarily a principal instrument, and teemed with numerous publications. Among the most conspicuous was a pamphlet written by Thomas Paine, called *Common Sense*. The author had lately emigrated from England; he had no claim to the advantages of education, but thought and reasoned with force, and with a subtlety which was the more dangerous, as it was disguised under the semblance of unpremeditated candour. His pamphlet was replete with rough sarcastic wit, and he took a correct aim at the feelings and prejudices of those whom he intended to influence. Writing to fanatics, he drew his arguments and illustrations from the holy scriptures; his readers having no predilections for hereditary titles, distinctions to them unknown, received with applause his invectives and sneers at hereditary monarchy; a notion of increasing opulence and false calculations on their population and means of prosperity had rendered them arrogant and self-sufficient, and consequently disposed them to relish the arguments he employed to prove the absurdity of subjugating a large continent to a small island on the other side of the globe. To inflame the resentment of the Americans, every act of the British government toward them was represented in the most ungracious light; and their confidence was augmented by arguments tending to prove the necessity, advantage, and practicability of independence. This well-timed and artful publication produced effects which a more laboured eloquence would have emulated or opposed in vain, and procured numerous partisans to the cause, even among those who, but a few months before, regarded the proposition with abhorrence. Minor arts were not neglected: the mob of Philadelphia, the seat of Congress, in particular, and the lower class in all parts of the continent, were taught to clamour for this favourite object, and to treat individuals as friends or enemies, in proportion as they favoured or opposed it.

Many of the superior order were restrained by fear, interest, habit, and conscience, from acceding to a plan of final separation; but those whom such motives

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sense,*

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Influence  
used in Con-  
gress.



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15th May.  
Recommendation to the colonies to new model their governments.

could restrain were reserved, mild and patiently expectant of events, while their opponents were sanguine, violent, and precipitate.

Pursuing the line of conduct adopted in the preceding year, Congress passed a resolution, recommending the assemblies and conventions of the united colonies, where no sufficient government had been hitherto established, to adopt such as should best conduce to the happiness and safety of their constituents, and of America in general. The reasons assigned for this vote in its preamble, were the King's conduct, in having, jointly with the two Houses of Parliament, excluded the Americans from the protection of his Crown, refused to answer their petitions, and engaged mercenaries to destroy the *good people* of the colonies; and it was declared irreconcilable to reason and good conscience, to take the oaths and affirmations necessary for the support of any government, under the crown of Great Britain\*.

Proceedings :

In Maryland.

28th May.

Philadelphia.

This resolution, in which the King's personal conduct and authority were first formally attacked, was received with various sensations. In the convention of Maryland, the proposition of independency was rejected by seven counties against four; and instructions sent to the delegates in Congress to vote against it; but the same convention passed a resolution for omitting the King's name in the public prayers†. The committee of inspection for the province of Philadelphia, in an address to the assembly, observed with the deepest concern that the ground of opposition to the measures of the British ministry was totally changed; instead of forwarding reconciliation, a system was adopted tending immediately to subvert the constitution. Appealing to the declaration of Congress, that they meant not to destroy but restore the union, the committee advised the assembly religiously to observe the instructions given to the delegates in Congress, and oppose the minutest alteration of that valuable constitution, under which the people had experienced every

\* See the vote, Almon's Remembrancer, vol. iii. p. 136.

† Idem, p. 206.

happiness, and in support of which they were willing to engage in any just and reasonable undertaking. The assembly, declaring the question of independence too important for their decision, sent their representations

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Virginia.

5th May.



happiness, and in support of which they were willing to engage in any just and reasonable undertaking. The assembly, declaring the question of independence too important for their decision, sent their representations on each side to all the towns and counties in the province, and withdrew from their union with Congress. The committee of Philadelphia, indignant at this moderation, presented a memorial to Congress, declaring that the assembly did not possess the confidence of the people, nor constitute a full and equal representation, the majority being composed of men who held offices under the Crown, who were dragged into a compliance with most of the resolutions of Congress from the fear of a provincial convention, and who were no less to be dreaded than that power which had declared itself possessed of a right to tax the colonies without their consent, and to bind them in all possible cases. On a reference to the people, the majority were reported to favour independence; and a convention, superseding the assembly, instructed the delegates in Congress to vote accordingly\*.

Virginia rather anticipated the views of Congress; for on the very day the resolution passed in that body, recommending to the people to fix a form of government, the convention of the province unanimously resolved that their delegates should be instructed to propose a declaration that the united colonies were free and independent states, absolved from all allegiance to the Crown or Parliament of Great Britain, and to concur in the necessary measures for contracting foreign alliances†. A committee, appointed at the same time to prepare a declaration of rights, presented, at a subsequent sitting, the result of their labours, in eighteen articles‡.

Virginia.

15th May.

\* Almon's Remembrancer, vol. iii. p. 206, 208, 261.

† Idem, p. 22.

‡ Some of these merit notice, as well for their own importance, as on account of the practical illustration they afterward received.

1. All men are born equally free and independent, and have certain inherent natural rights, of which they cannot, by any compact, deprive or divest their posterity; among which are the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

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Declaration  
of rights.  
1st June.  
Discussion  
of the ques-  
tion of inde-  
pendency.

In the interval preceding the discussion of the important question of independence, intrigue was never at rest: many members of Congress intractably adhered to their first instructions, and could not be convinced that a sound majority of the people would ever sanction the measure. The instructions procured to that effect were not so numerous, or so positive, as had been expected, and the determined opposition they encountered, almost reduced the revolutionary party to despair\*. The period was, however, arrived, when the experiment must be finally tried; the commissioners were on their passage from England; and unless the people of America were precluded by some authentic act from embracing their proposals, the labour so long employed would be lost, and the prospect, now so near and flattering, for a long time closed.

7th June.

Pursuant to the instructions received from that colony, the motion for declaring America independent, was made by Richard Henry Lee, of Virginia. The debates were continued nearly a fortnight: John Adams was the principal supporter of the affirmative, and John Dickinson his chief opponent†. After all the efforts of intrigue, on putting the question, six

It is carried.

2. All power is vested in and consequently derived from the people; magistrates are their trustees and servants, and at all times amenable to them.

3. Government is instituted for the common benefit, protection, and security of the community. That government is best which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of mal-administration; and whenever any government shall be found inadequate or contrary to these purposes, the majority of the community hath an undoubted, unalienable, and indefeasible right to reform, alter, or abolish it, as shall be judged most conducive to the public weal.

4. No man, or set of men, are entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services; which not being descendible or hereditary, the idea of a man born a magistrate, a legislator, or a judge, is unnatural and absurd.

16. The people have a right to uniform government, and therefore no government separate from, or independent of, the government of Virginia, ought of right to be erected or established in the province.

17. No free government, or the blessing of liberty, can be preserved to any people, but by a firm adherence to justice, moderation, temperance, frugality, and virtue, and by frequent recurrence to fundamental principles.

The remaining articles relate to the election of representatives, the imposition of taxes, to crime, trial, and punishment, to bail, the liberty of the press, the militia, and religious toleration. See the Declaration of Rights at length; Almon's Remembrancer, vol. iii. p. 221.

\* Galloway's Historical and Political Reflections on the Rise and Progress of the American Rebellion, p. 108.

† Ramsay's History of the American Revolution, vol. i. p. 338.

colonies voted on each side, and the delegates for Pennsylvania were equally divided. Contrary to the established rule of their own proceeding, the debate was resumed the ensuing day, when Mr. Dickinson, a man naturally timid and variable, relinquished the principle he had so strenuously maintained, and by his vote decided the contest\*.

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A declaration, or act, of independence was soon promulgated; and it may safely be averred, that at no preceding period of history was so important a transaction vindicated by so shallow and feeble a composition. It begins by recognizing the propriety of explaining, with a decent respect to the opinions of mankind, the causes which impelled the Congress to dissolve their political connexion with England, and to assume among the powers of the earth the separate and equal station to which they were entitled by the laws of nature and of nature's God. The leading articles of the declaration of rights by the Convention of Virginia are then affirmed; and, while it is admitted that governments long established should not be changed for light and transient causes, an assertion is made that a long train of abuses and usurpations evinced a design to establish absolute despotism, and that the history of the King of Great Britain was one of repeated injuries and usurpations, all having in direct object the establishment of absolute tyranny over the United States. In support of this position, several acts of the King were cited; many of them were merely constitutional, such as refusing to sanction laws and dissolving assemblies; some were vaguely alleged as *endeavouring to prevent* the population of the states, and *affecting to render* the military independent of, and superior to, the civil power. By assenting to the acts of parliament which gave immediate rise to the contest, he was accused of *combining with others* to subject America to a jurisdiction foreign to her constitution, and unacknowledged by her laws: and he was declared to have *abdicated government* by declaring

4th July.  
Declaration  
of independ-  
ency.

\* Galloway's Historical and Political Reflections, p. 108. Galloway's Examination before the House of Commons, p. 5, note.

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the Americans out of his protection, and waging war against them. Some passages are remarkable for low and intemperate scurrility; and the whole accusation of the King is summed up by averring, that a prince so marked by every act which may define a tyrant, is unfit to be the ruler of a free people; and, in consequence, the Congress, in the name and by the authority of the *good people* of America, solemnly published and declared that the colonies were free and independent states, absolved from all allegiance to the British Crown; that all political connexion between them and Great Britain was dissolved, and that they had full power to levy war, conclude peace, contract alliances, and establish commerce\*.

That the court of Great Britain should not condescend to answer this intemperate and futile declaration, could excite no surprise. The Americans were not yet deemed by the world, as Congress affected to consider them, *a people* dissolving, in the natural course of events, those political bands which formed the connexion with *another people*; they were subjects contending, whether rightly or not, against the authority of their legitimate sovereign. It was their intent to obtain, by specious representations, the countenance and assistance of other nations; but Great Britain had no appeal to make; the question between her and her colonies was not one of public right, but of domestic regulation; to answer the declaration of independence, would have been to acknowledge a jurisdiction in other powers to interfere in her concerns, and would, beside, have produced declarations relative to principles, which, in the existing state of the public mind in Europe and America, could answer no beneficial purpose, but must

\* See the Declaration in the Annual Register for 1776, p. 261; Almon's Remembrancer, v. iii. p. 256; and Ramsay's History of the American Revolution, v. i. p. 339. Also Jefferson's Memoirs, &c. vol. i. p. 8 to 30, where will be found an ample account of the debates and proceedings on this most momentous subject; it is also right to observe that, in the same volume, p. 102, the author declares that the statement of Mr. Galloway, from which I deduced much of the above narrative, does not contain one word of truth; and where it bears some resemblance to truth, it is an entire perversion of it. Of Mr. Jefferson's means of information, less doubt can be entertained, than of the candour of his disclosures, or the impartiality of his remarks.

give rise to endless discussions, in which the real nature and ground of the dispute would have been more and more obscured and deserted. Yet, although this paper was not formally answered, the framers had no reason to triumph in the success of unrefuted calumny and undetected misrepresentation. The press in England, not being subject to the tyranny which was exercised over it by the revolutionists of America, sent forth an answer, complete in all its parts, in which every fallacy in argument, every false assumption in principle, every mis-statement in fact, was exposed and refuted with so much clearness, perspicuity, and irrefragable force, as to render it surprising that a public body should found their defence of an important measure on pretences so fallacious, and so extremely open to detection\*.

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Among foreign powers, this declaration could only afford a pretext, to such as were already so disposed, to gratify their malice against England by active hostilities, or pursue what they considered their own interest, in forming commercial connexions with the revolted colonists. In America, where the first and most important effects were to be produced, the success of such a paper was rendered almost certain: the press was completely enslaved by the popular party; and no printer, on peril of his life, durst publish a sentence in refutation of their assertions. The multitude would not stedfastly examine or carefully separate the allegations, which were falsely stated or fallaciously blended; but, taking the whole as the abstract of long meditation, sanctioned by the highest authority, receive it with implicit deference. The scurrility with which it abounded was gratifying to the taste of the populace; and the direct attack on the person and authority of

Effect of  
publishing  
it.

\* The work alluded to is intitled, "An Answer to the Declaration of the American Congress," printed for Cadell, Walter, and Sewell, 1776. It is in the highest degree worthy the perusal of those who wish to have the means of thinking rightly on the origin of the American dispute. Another answer, written by Governor Hutchinson, intitled "Strictures on the late Declaration of Congress," was for some time privately circulated, and at length published; it may be found in Almon's Remembrancer, vol. iv. p. 25. It is not so detailed as the other, but contains many valuable observations.



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Its reception  
by the peo-  
ple:

and army.

Exultation of  
some mem-  
bers of Con-  
gress.State of the  
American  
army.

the sovereign gave a new impulse to their spirits, and furnished a more conspicuous topic of invective.

The declaration was therefore generally received with marks of applause, accompanied with insults on the King. At New York, an equestrian statue, erected in 1770, was thrown down and melted; and in most parts of the colonies, the word royal and the sign of the crown were suppressed in the streets\*. Washington's army received it with loud acclamations†.

America being thus divided from the mother-country‡, no reserve was maintained by those who had so long laboured to attain that end in avowing the course and object of their efforts. Samuel Adams, a distinguished leader of the American councils, noted for subtlety, perseverance, and inflexibility, boasted in all companies that he had toiled upward of twenty years to accomplish the measure; during that time, he had carried his art and industry so far, as to search after every rising genius in the New England seminaries, employed his utmost abilities to fix in their minds the principles of American independency, and now triumphed in his success§.

Independence was not, however, to be secured by a vote of Congress, an insulting declaration, or shouts of applause. A vigorous campaign was expected; its commencement was awaited with awful anxiety, and the most sanguine hopes could not veil the disadvantages under which the Americans were likely to labour. Their army amounted nominally to twenty thousand five hundred, but, deducting the sick and the absent, could not be stated at more than eleven thousand five hundred, of whom many were militia, called suddenly from their homes, and unused to arms

\* Almon's Remembrancer, vol. iii. pp. 286, 387.

† Washington's Letters, vol. i. p. 185. The sentiments of the general himself, in favour of the measure before it was decreed, appear in Sparks's Life, vol. i. pp. 171, 177.

‡ The separation of America from the British empire took place 294 years after the discovery of that continent by Columbus; 166 years from the first established settlement in Virginia, and 156 years from the first settlement of Plymouth in Massachusetts Bay, which were the earliest English settlements in America. Morse's American Geography, p. 105.

§ Galloway's Historical and Political Reflections, p. 109.

and the exposure and hardships of a camp\*. Their wants, though considerably relieved, were not effectually removed; even gunpowder and flints were not supplied in abundance†; and the general drew deplorable pictures of his want of reinforcements, which were slowly obtained‡. Great alarms were entertained respecting the German mercenaries; and Washington even proposed a decoying scheme to lure them from the British into the American service, by the employment of a corps of their emigrant countrymen; a project which was sanctioned by Congress, and attended with considerable effect§. The difference of political opinions, in so interesting a crisis, could not fail to create many apprehensions of plots and conspiracies; and the jealousy of a revolutionary government was exerted at New York, Albany, and other places, in the detection, prevention, and punishment of attempts which were depicted in terrifying, though perhaps aggravated, colours||.

In the midst of his difficulties and anxieties, the personal virtue and pure sentiments of Washington were displayed, to his own immortal glory and the great benefit of his country. His general orders tended uniformly to implant and encourage morality, religion, a courageous devotion to the public cause, and a high-minded self-confidence, essential to the accomplishment of great and arduous undertakings. He prohibited, most positively, playing at cards and games of chance, either by officers or persons of lower degree. Gaming was the foundation of evil, and the cause of ruin to many a brave officer; but games of exercise for amusement were not only to be permitted but encouraged¶. He gave strict orders, and promoted all proper measures, for securing due attention to divine service, whether on Sundays or on the days of

Prudent  
conduct of  
Washington.

\* Sparks's Life of Washington, vol. i. p. 187.

† Washington's Letters, vol. i. pp. 179, 193.

‡ Idem, pp. 183, 222, et passim.

§ Idem, pp. 146, 176.

|| Idem, vol. i. pp. 173, 174, 181. Annual Register, 1776, p. 169.

¶ Happy had it been for the public service, and honourable to those who were engaged in it, if the British commanders had taken the same view of this matter.

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British plan  
of campaign.

fast and humiliation decreed by Congress ; discouraged the habit of profane cursing and swearing ; forbad the plunder of individuals under pretence that they were tories ; reprobated the jealousies and expressions of contumely used by men of different provinces against each other ; and, exhorting them to recollect how their courage and spirit had been traduced, stimulated them to acts of valour, with a confidence in Providence as to the final result, and announcing honour or punishments proportioned to the observance or disregard of these injunctions\*.

The British plan of campaign embraced three objects : to recover Canada, and invade the back settlements by way of the lakes ; to make a strong impression on the Southern provinces ; and to direct a grand expedition against the city and province of New York. The partial success of the first and the failure of the second part of the project have been already detailed. The expedition against New York was regarded by General Washington with alarm, uncontaminated by fear, and with a contemplative anxiety, which only suggested maxims of caution commensurate to the known extent of the danger†. But the British commander had the discouragement of knowing that the movements he was directed to make were disclosed to the enemy by their friends in England, by letters conveyed in the same packet which brought his dispatches from the Secretary of State ; and, consequently, that all his attempts would be anticipated and counteracted. He sensibly felt the disadvantages of a defensive campaign, and ardently longed for ample reinforcements. With a proper army of twenty thousand men, judiciously divided at New York, Rhode Island, and Halifax, exclusive of the army for Quebec, the present unfavourable appearances would be entirely changed. With a smaller force, he observed, the success of an offensive campaign must be very doubtful. The opposing army, he admitted, was not to be despised. It contained many European soldiers, and all or most of

\* Sparks's Life of Washington, vol. ii. p. 343, et seq.

† Washington's Letters, vol. i. *passim* from 174 to 223.

the young men of spirit in the country, who were exceedingly diligent and attentive to their military profession. Great indeed must have been his disappointment when the auxiliary troops arrived: those from Brunswick did not make a fine body of men, but many of them were small, ill-looking, and old; their clothing much worn and mended, and their shoes utterly unfit for service. These defects were noticed before their embarkation, and some improvements promised; but delays in performance, and dishonesty in contractors, counteracted, in a great degree, the intended equipment. The Hessian troops were better supplied; but many differences arose concerning pay, and other minor topics, which gave much trouble, and occasioned some dissatisfaction. The general was also encumbered with eleven hundred refugees from Boston, persons entitled to liberal and grateful consideration, who had quitted property and estates of considerable value, and were now reduced to seek food from the King's stores. The enemy exulted beyond measure at the evacuation of Boston: but General Howe was not dismayed; and, notwithstanding all disappointments, felt sanguine hopes from the health and high order of his army\*.

In prosecution of his plan, Howe refreshed his troops at Halifax, and proceeded to Sandy Hook; but, being informed that the enemy were endeavouring, by strong intrenchments at New York and Long Island, and by chains of sunk vessels in different parts of the channel, to obstruct the passage of the fleet up the North and East Rivers, he repaired to Staten Island, opposite Long Island, where he landed his men without opposition. Lord Howe, the joint commissioner for treating on peace, who had long been expected, arrived in the interval at Sandy Hook, and, proceeding immediately to Staten Island, landed the troops from England, which augmented the British force to nearly thirty thousand men, supported by a numerous and powerful fleet.

11th June.  
Arrival of  
Lord Howe.

29th.

3rd July.

1st July.

\* Correspondence with Ministry, from the 16th of January to the 25th of April, 1776.

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20th June.  
Lord Howe's  
letter to  
Franklin.

June 20th.

July 13th.

14th July.  
Attempt to  
negotiate  
with Wash-  
ington.

19th.

15th.  
Circular  
letter.

Lord Howe made the first effort as a pacificator, by addressing a letter to Dr. Franklin, who, immediately on his arrival in America, had been elected, by the legislature of Pennsylvania, a delegate to Congress, where, as in every other situation, public and private, he had shewn a most determined, bitter, and contumelious spirit of hatred to England. Lord Howe's letter was brief, but in the most conciliatory terms. He styled the doctor his worthy friend, and declared that, retaining all the earnestness he had ever expressed to see differences accommodated, he hoped, if he found in the colonies the disposition he had been taught to expect, he might still have the satisfaction of proving serviceable to the objects of the King's paternal solicitude, by promoting the establishment of lasting peace and union with the colonies. Calms, and other delays to which communication between persons at sea and those on shore are subject, prevented this letter from being received until three weeks had elapsed\*, and in that period the Declaration of Independence had been hastily urged to its completion.

His lordship, without loss of time, opened a direct communication with Washington. The American General, sagaciously foreseeing a deficiency of form in addressing him, raised a cavil to prevent the effects of a conference so critical in the newly-embraced state of independency. Pursuant to the advice of a council of officers, he declined receiving a letter, superscribed to "George Washington, Esq." and Congress, expressing high approbation of his conduct, directed that it should be his rule in future, and a model to other commanders.

The next day, Lord Howe sent on shore, by a flag of truce, a circular letter and declaration to the late governors of provinces, apprizing them of the civil and military authorities vested by the late act of Parliament in his brother and himself; informing the public of their powers to grant pardons to any number or descriptions of persons, to proclaim the restora-

\* Memoirs of Franklin, vol. i. p. 296.

tion of any colony, district, or place, to the King's peace; from which time the King might discontinue the effect of the restraining act, and declaring that pardons should be granted, dutiful representations received, and every suitable encouragement given for promoting measures conducive to the establishment of legal government and tranquillity.

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These papers were forwarded by General Washington to Congress, who immediately published them, with a prefatory comment in the shape of a resolve, that the *good people* of the United States might be informed of what nature were the commissions, and what the terms, with the expectation of which the insidious court of Great Britain endeavoured to amuse and disarm them, and that the few who still remained suspended by a hope founded either on the justice or moderation of their late King, might now at length be convinced that the valour alone of their country was to save its liberties.

19th.

Unwilling to abandon the hope of a negotiation, and yet unable perhaps to recognize the title of the American commander, General Howe attempted to evade the point, by directing to George Washington, Esq. &c. &c. &c. This letter was also declined; and, although a conference was afterward obtained by Colonel Paterson, no impression could be made favourable to the opening of a treaty, nor could the letter, on any terms, or under any explanations, be received\*.

16th.

Further  
efforts to  
negotiate.

21st.

If, from their antecedent communications, Lord Howe had been induced to believe that Franklin cherished a wish to reunite the two countries on the footing of parent state and colony, these proceedings, in which it was known that the doctor took a leading part, and the answer given to his letter, were sufficient to dissipate the illusion. In its terms and sentiments, it was most contumelious and irritating. It assumed, as a principle, that the Americans had a right to govern themselves independently, that all the claims of En-

July 20th.

Dr. Franklin's  
answer.

\* See Washington's Letters, vol. i. 195 to 204. Almon's Remembrancer, v. iv. p. 18, 100. Sparks's Life of Washington, vol. i. p. 183.

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gland were unjust, and all the attempts to enforce them, cruel and tyrannical. It began with a sneering expression, that as no terms were offered but those of pardon on submission, it must give his lordship pain to be sent so far on so hopeless a business. "Directing pardons," he proceeded, "to be offered to the colonies, who are the very parties injured, expresses indeed that opinion of our ignorance, baseness, and insensibility, which your uninformed and proud nation has long been pleased to entertain of us; but it can have no other effect than that of increasing our resentment. It is impossible we should think of submission to a government that has with the most wanton barbarity and cruelty burnt our defenceless towns in the midst of winter, excited the savages to massacre our farmers, and our slaves to murder their masters, and is, even now, bringing foreign mercenaries to deluge our settlements with blood. These atrocious injuries have extinguished every remaining spark of affection for that parent country we once held so dear: but were it possible for *us* to forget and forgive them, it is not possible for *you* (I mean the British nation) to forgive the people you have so heavily injured; you can never confide again in those as fellow-subjects, and permit them to enjoy equal freedom, to whom you know you have given such just cause of lasting enmity. And this must impel you, were we again under your government, to endeavour the breaking our spirit by the severest tyranny, and obstructing, by every means in your power, our growing strength and prosperity."

As to the King's paternal solicitude for establishing peace, he observed that if by peace was meant a peace to be entered into between Britain and America, as distinct states now at war, and his Majesty has given your lordship powers to treat with us of such a peace, I may venture to say, though without authority, that I think a treaty for that purpose not yet quite impracticable before we enter into foreign alliances. But I am persuaded that you have no such powers. Your nation, by punishing those American gover-

nors who have caused and fomented the discord, rebuilding our burnt towns, and repairing as far as possible the mischiefs done us, might yet recover a great share of our regard, and the greatest part of our growing commerce, with all the advantage of that additional strength to be derived from a friendship with us; but I know too well her abounding pride and deficient wisdom, to believe she will ever take such salutary measures. “Long did I endeavour, “with unfeigned and unwearied zeal,” he said, “to “preserve from breaking that fine and noble china “vase, the British empire: for I knew that, being once “broken, the separate parts could not retain even “their share of the strength or value that existed in “the whole, and that a perfect reunion of those parts “could scarce ever be hoped for. Your lordship may “possibly remember the tears of joy that wet my “cheek when, at your good sister’s in London, you “once gave me expectations that a reconciliation might “soon take place. I had the misfortune to find those “expectations disappointed, and to be treated as the “cause of the mischief I was labouring to prevent. “My consolation under that groundless and malevolent “treatment was, that I retained the friendship of “many wise and good men in that country, and among “the rest, some share in the regard of Lord Howe. “The well-founded esteem, and, permit me to say, “affection, which I shall always have for your lordship, makes it painful to me to see you engaged in “conducting a war, the great ground of which, as expressed in your letter, is ‘the necessity of preventing “‘the American trade from passing into foreign channels.’ To me it seems that neither the obtaining or “retaining of any trade, how valuable soever, is an object for which men may justly spill each other’s “blood; that the true and sure means of extending “and securing commerce, is the goodness and cheapness of commodities; and that the profit of no trade “can ever be equal to the expense of compelling it, “and of holding it by fleets and armies. I know your “great motive in coming hither was the hope of being



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“instrumental in a reconciliation ; and I believe, when  
 “you find *that* impossible on any terms given you to  
 “propose, you will relinquish so odious a command,  
 “and return to a more honourable private station.”

Battle of  
 Brooklyn.  
 22nd of Aug.

This artful compound of presumption, insolence, and hypocrisy, joined with other proceedings, demonstrated the impossibility of amicable arrangement, and should have indicated the necessity of strenuous, and speedy, and effective exertion. Delay had been carried to its utmost limits, the season for action was already advanced to a late period, and General Washington had received large augmentations of force. The troops under General Clinton having joined the main army, a disembarkation was effected between Utrecht and Gravesend, on Long Island, which was selected as the first object of attack, preparatory to the reduction of New York. The advanced party of the enemy fled with precipitation on the approach of the royal troops, and hastened to gain the woody heights which commanded the line of progress, burning in their retreat the houses and granaries. Fifteen thousand provincials were encamped near Mill Creek, enclosed by a line of intrenchment, strongly secured by abatis, flanked by redoubts, and lined with pikes. Another party lay at Brooklyn, on the east river opposite New York, where they had constructed strong works. General Putnam was detached from Mill Creek with ten thousand men, to occupy the heights which obliquely intersected the island and defend the defiles which led through the hills. In a plain, opposite the centre of Putnam's line, stood the village of Flat Bush, to which the Hessians under General De Heister were advanced, occupying the attention of the enemy, and frequently skirmishing with the patrols.

26th of Aug.

General Clinton and Sir William Erskine having reconnoitered, General Howe, in pursuance of their advice, formed dispositions for turning the left flank of the enemy. The right wing of the English army, commanded by General Clinton, supported by brigades under Lord Percy, and by the reserve under Lord Corn-

wallis, quitted the camp in the night, crossing the country by Flat-lands, to secure a pass over the heights of Guiana on the road to Bedford. General Howe accompanied this expedition, and had the pleasure of witnessing its complete success. The pass in question, though of the utmost importance, was distant, and the enemy had neglected to secure it, relying for intelligence of an attack on patrols of cavalry; one of these was fortunately intercepted; an alarm being thus prevented, the British passed the heights unimpeded, and reached Bedford at nine o'clock in the morning. Without loss of time, they assailed the left of the Americans, who were thrown back on their right, and, after a feeble resistance, retired over Mill Creek, but in such irreparable confusion that few only got into the line. The firing on the left of the enemy served as a signal to De Heister, who with a column of Hessians attacked their centre near Flat Bush, and after a warm engagement drove them into the woods.

27th of Aug.

The left column, under the command of General Grant, proceeded at midnight from the Narrows, by the edge of the bay; and in order to divert the attention of the enemy from the other principal points of attack, engaged their advanced guard. The Americans fought with firmness, and did not make a retrograde movement until they received intelligence of the entire route of the other divisions of their army. They then attempted to secure a retreat, which some of them effected, with difficulty and in disorder, over a mill-dam and through a morass.

The victory was complete, though not decisive: two thousand of the enemy were killed in the field or drowned, and near eleven hundred taken prisoners, among whom were Generals Sullivan, Udell, and Lord Stirling. The Maryland regiment suffered most severely, as upward of two hundred and sixty men of the best families in the province were cut to pieces. Our loss was between sixty and seventy killed, and to hundred and thirty wounded. The ardour and conduct of the troops were highly extolled; both English and foreigners displaying a zeal evidently stimulated by emulation.

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In the impetuosity of their courage they were with difficulty restrained from attacking the American lines; and, considering the difference between perfect discipline and total inexperience, the flush of success and the langour of defeat, would in all probability have succeeded; they were, however, restrained by General Howe, who, considering it certain that he should obtain easy possession by regular approaches, would not risque the loss of blood in an assault, but ordered his forces to retire out of the reach of musketry.

28th of Aug.

In the evening of the same day the British army encamped in front of the American lines, and, on the ensuing morning, broke ground about six hundred yards from one of the redoubts on the left. General Washington exerted himself with incredible assiduity in repairing or palliating the effects of the late disaster; he afforded every facility in his power for those who had been missing at the close of the engagement to return, and many found their way from the woods to head-quarters. During forty-eight hours, in sultry weather, he was almost constantly on horseback, and never slept\*.

Retreat of  
the Americans to  
New York.  
29th.

His situation was, however, in every respect, untenable; his army was the last resource of America, and the event of a second engagement, or of success in an attempt to force the lines, must have occasioned its total annihilation. He could not venture to weaken the garrison of New York by sending supplies, and feared, if the wind should change, that ships of war would sail up the East river, and preclude every hope of a retreat, which was now his only refuge. Even this was an enterprize of the utmost hazard and difficulty: it was to be performed close to an enemy, provided with every means of annoyance, and elated with victory, while his own troops were dispirited, and almost despondent. He conducted this retreat with great judgment and skill, and was favoured by the

\* Washington's Letters, v. i. p. 242. See also General Howe's account, in the papers presented to Parliament; Parliamentary Register, vol. xi. p. 340. The events are detailed in Sparks's Life of Washington, vol. i. p. 189. Memoirs of General Greene, vol. i. p. 55.

extreme darkness of the night. In thirteen hours nine thousand men, beside field artillery, ammunition, provisions, cattle, horses, and carts, effected, without loss or interruption, a retreat to New York, over East River, the stream being a mile in width, and several embarkations necessary. At first the wind and tide were unfavourable; but, an hour before midnight, the sea became calm, and the breeze friendly; Long Island was also enveloped in a thick fog, which prevented the British troops from observing the motions of the Americans; while, on the coast of New York, to which their course was directed, the sky was bright and serene. The pickets of the English army arrived only in time to fire on their rear guard, who were already too far from shore to sustain injury\*.

One of the first measures taken by Lord Howe after the victory of Brooklyn, was to dispatch his prisoner, General Sullivan, to Congress, for the purpose of inviting some members of that body to meet him, not as deputies from an independent state, but as private gentlemen, to facilitate pacification; and he stated, as an inducement, that so favourable an opportunity

Renewed  
negotiation.

\* In these transactions the conduct of both parties has been blamed with considerable severity, and perhaps not without justice. The American commanders are censured for having suffered themselves to be completely surrounded by the British force at the battle of Brooklyn, a misconduct which exposed them to certain loss and imminent hazard. It is alleged, on their behalf, that they were not apprized of the number of troops landed on Long Island; and an insinuation of treachery is advanced against those whose duty it was to secure the passes. After the battle, their conduct was a masterly specimen of prudence and presence of mind.

The British commanders are charged with many glaring instances of misconduct. The attack was planned with consummate judgment, and executed with equal promptitude and valour; but in no respect were the means of success pushed to their utmost possible results. After the right had defeated the left of the Americans, and they were retreating in confusion, General Howe might have followed his advantage, forced the enemy's works, and secured a decisive victory. He is severely blamed for checking the ardour of his troops when eager for pursuit, and for not taking possession of Brooklyn ferry, which would have rendered the escape of the Americans almost impossible. He had, it is alleged, early intelligence of the retreat of the enemy, but neglected to direct a pursuit till too late to be effectual. Thus the results of a victory which redounded to the honour of the British arms, were reduced to the unimportant possession of Long Island. Yet, for all these apparent errors of conduct, it is said General Howe had good reasons, both military and political. He gave his own military reason for forbidding the forcing of the lines, and his political conduct was guided by the consideration of his duty as a commissioner sent to treat for peace, and whose overtures would be most favourably viewed in the moment of success, especially if no prejudice was excited by the exertion of extreme violence or unnecessary rigour.

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would not again occur, as neither party was reduced to a state of abject humiliation, nor to a situation that presented assent or ruin as the sole alternative. If Congress were disposed to treat, he observed, many things which had not yet been asked might and ought to be granted; and if a conference afforded a probable ground of accommodation, their authority must afterward be acknowledged, to complete the compact.

The uncertainty and numerous disadvantages attending the actual situation of affairs, were strongly felt by Congress. The people were clamorous for a knowledge of the terms on which, without too great sacrifices, they might obtain present ease, and avert the dismal scenes of which they had a disheartening prospect\*; and the army, reduced by defeat and desertion to less than twenty thousand, was in a state of want and insubordination. General Washington, in one of his letters, dated Long Island, 2nd September, 1776, gives a striking and interesting picture of the consequences of the battle of Brooklyn. "Our situation," he says, "is truly distressing. The check our detachment sustained, on the 27th ultimo, has dispirited too great a proportion of our troops, and filled their minds with apprehension and despair. The militia, instead of calling forth their utmost efforts to a brave and manly opposition, in order to repair our losses, are dismayed, intractable, and impatient to return. Great numbers of them have gone off, in some instances almost by whole regiments, by half ones, and by companies, at a time. This circumstance of itself, independent of others, when fronted by a well-appointed enemy, superior in number to our whole collected force, would be sufficiently disagreeable: but when their example has infected another part of the army, when their want of discipline, and refusal of almost every kind of restraint and government, have produced a like conduct but too common to the whole, and an entire disregard of that order and subordination necessary to the well-doing of an

\* Examination of Joseph Galloway, p. 9, note.

“ army, and which had been inculcated before, as well  
 “ as the nature of our military establishment would  
 “ admit of, our condition is still more alarming; and  
 “ with the deepest concern I am obliged to confess  
 “ my want of confidence in the generality of the  
 “ troops.”

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The leading members of Congress were not, however, induced by the threatening appearances of the moment to relax in their projects; the independence of America, which they had laboriously and insidiously promoted, was not to be so easily resigned; nor would they forego the proud situation in which they stood as directors of this important contest. To preserve an appearance of candour, and gratify the earnest wish of the people, without seeming to abandon the duties of their station, Congress returned for answer to Lord Howe's message, that, as the representatives of the free and independent states of America, they could not, with propriety, depute any of their members to confer in their private characters; but, ever desirous of establishing peace on reasonable terms, they would authorize a committee to examine into the nature and extent of his authority, and hear his propositions. This committee consisted of Dr. Franklin, John Adams, and Edward Rutledge.

7th Sept.  
Committee  
of Congress  
sent to confer  
with the British  
commissioners.

6th.

From this resolution, and the character of the individuals appointed to bear the inefficient function committed by Congress, Lord Howe might have anticipated the failure of his efforts. Three more strenuous republicans could not have been selected; and they were not enabled to treat, but merely to investigate and cavil at the powers of the commissioners. His lordship, however, gave them a meeting on Staten Island, and, according to their own report, from which alone the circumstances could be learned, received and entertained them with the utmost politeness.

14th Sept.

In opening the conversation, he protested against conferring with them as a committee of Congress; but being authorised to consult with private gentlemen of influence on the means of restoring peace, he with pleasure availed himself of the opportunity. The

delegates answered, that, in whatever light he might consider them, they could only view themselves in the character committed to them by Congress. Lord Howe then, in a discourse of considerable length, recommended a return to allegiance and submission to Great Britain, accompanying his argument with assurances of the good disposition of the King and his ministers to make government easy, to revise the offensive acts of Parliament, and amend the instructions given to governors.

If these offers could have been tendered a few days before the declaration of independence, the majority of Congress might have felt themselves bound to accede to them, as a secure and honourable basis of pacification; but now, the committee assigned their independence as a cause for rejecting, what they termed, the only explicit proposition of peace. They descanted on the contempt shewn to their repeated petitions, and their unexampled patience under tyrannical governments. The last act of parliament, which denounced war and put them out of the King's protection, compelled them to comply with the wish of the people, by framing the declaration of independence; every colony approved it; all now considered themselves free states, all were settling their governments under that opinion, and Congress could not replace them in their former condition. They were desirous of peace, and willing to treat with Great Britain for the advantage of both countries; and his lordship might, if the same good disposition existed in Britain, receive fresh powers, enabling him to negotiate on the basis of independency, much sooner than authorities could be obtained by Congress from the several colonies to consent to submission.

Lord Howe, with sorrow, closed the conference, declaring that on such terms no accommodation could take place. The delegates, in their report to Congress, declared it did not appear that his lordship's commission contained any other authority of importance than was expressed in the act of parliament, that of granting pardons with discretionary exceptions, and of declaring,

on submission, the whole or any part of the continent in the King's peace. As to the power of inquiring into the state of America, and conferring, consulting, and representing the result to the ministry, who, if the colonies would subject themselves, might, or might not, alter the former instructions to governors, or propose in Parliament amendments of the obnoxious acts; any expectation from the effect of such a power would have been too uncertain and precarious, even were America still dependent.

Thus terminated this famous effort, from which the British commanders seemed to have formed such expectations, that in the career of victory they afforded an interval for the experiment. The delegates of Congress, with more policy than candour, diminished the beneficial effects which might result from listening to the proposals; but, on the whole, their conduct does not stand obnoxious to censure. America, by their means, was declared independent: the attempt was new, vast in its immediate objects, immense in its expected results; patience and perseverance might more than repair the present deranged state of their affairs; but, in all events, a return to submission would procure immunities and indulgences more than sufficient to counterbalance temporary disadvantages. To have shrunk from a project so mighty, upon the first failure in arms, or to have been lured from it by the first offer of ease, would have thrown indelible disgrace on the character of Congress.

The British commissioners acted in the whole transaction with dignity and prudence: they made no captious objections, exhibited no contumelious superiority, and descended to no low arts. They did not publish a counter manifesto or narrative of the conference to elucidate passages mistaken or misrepresented by the committee; but contented themselves with issuing a short declaration, that, although Congress had disavowed every purpose of reconciliation not consonant with their extravagant and inadmissible claim of independency, the commissioners were equally desirous to confer with his Majesty's well affected sub-

19th Sept.  
Declaration  
of the com-  
missioners.



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Preparations  
for the attack  
of New York.

jects on the means of restoring public tranquillity, and establishing a permanent union with every colony, as a part of the British empire. And they positively affirmed, that the King had already directed the completion of those revisions of powers, and other measures of relief, respecting which the committee of Congress had insinuated that his promise was not to be believed\*.

Meanwhile the British army was reinforced by a detachment convoyed by Sir George Collier. The treaty occasioned no suspension of arms; and the expulsion of the enemy from New York was pressed with unremitting assiduity. The possession of Long Island, rendering Governor's Island no longer tenable by the Americans, enabled the besiegers to command the city, and the acquisition of three small islands, Barren, Montresor, and Buchanan, cut off all communication by sea.

General Washington was anxious to maintain possession of this city, but found his difficulties daily increasing. Insubordination, desertion, distress, and an evaporation of the original spirit of enterprize which animated his troops, rendered his prospect cheerless. The militia were ready to depart; and if they left the army without being paid, the effect of their report would be no less injurious to the service than the want of their numbers. The troops in general were importunate and urgent in their demands for money†; winter already approached, and the army was only equipped for a summer campaign; their clothes, shoes, and blankets, were insufficient; their tents worn out and inadequate to more than two-thirds of their number; and the sick amounted, according to the returns, to one-fourth of the army‡. The general, reasoning from history, experience, the advice of friends in Europe, the fears of the English, and the declarations of Congress, wisely resolved to make the war on his side purely defensive, a war of posts; to avoid a general action, and risk nothing, except on

\* See the documents at length, in Almon's Remembrancer, vol. iv. p. 112 et seq.

† Washington's Letters, vol. i. p. 249.

‡ Idem, p. 252.

cogent and inevitable necessity. Persuaded of the presumption of drawing out young troops into open ground, against their superiors both in number and discipline, he never (to use his own phrase) spared the spade and pick-axe. He was, however, embarrassed in the choice of difficulties: if he concentrated his whole force for defence of New York, he must leave the country open for an approach, and render the fate of the army and its stores dependent on his success in securing the city, or gaining a pitched battle; on the other hand, to abandon an important post which many deemed defensible, and on the works of which much labour had been bestowed, would dispirit the troops and enfeeble the cause.

A council of general officers unanimously concurred in adopting a middle course. The army, now amounting to twenty-three thousand men, was arranged under three divisions: five thousand to remain for protection of the city: nine thousand to secure Kingsbridge and its dependencies, as well as other strong posts, and attack the British forces, should they attempt a landing on that side; the remainder to occupy the intermediate space, and support either.

Judicious movements of the British ships straitened the operations of the enemy, and prevented the completion of their project for removing the stores by sea. Several vessels were dispatched up the East river, and three men of war proceeded up the North river to Bloomingdale: those on the East river scouring the grounds by a heavy cannonade. General Clinton, heading the first division of four thousand men, landed at Kipp's Bay, about three miles from the town, assailed the heights where the enemy were strongly posted, and took possession of the high land called the Inclenburg. The Americans had formed strong intrenchments, and were in possession of advantageous ground: but they were lured from their hold by a feint, and the incessant fire of round shot from the ships prevented their return. The troops, as they landed, posted themselves on the high grounds, which stretch in an ascending direction from the shore, and

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1776.

7th Sept.

13th and 15th  
of Sept.  
Capture of  
the city.

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16th of Sept.

It is set on  
fire by Ame-  
rican incen-  
darics.

the enemy fled with precipitation. A party of seventy Hessians, advancing toward New York, fell in with a body of fugitives retreating by the pass at Bloomingdale, and defeated them after a short skirmish. General Washington, finding all his efforts to rally the army ineffectual, expeditiously secured a retreat to Morris's heights, where he established himself in so strong a position as to render an immediate attack imprudent. New York, with the heavy cannon of the enemy, and great part of their stores, fell into the possession of General Howe. Had he followed the counsel of an able adviser, and instead of directing his immediate attention to New York, thrown his army round Kingsbridge, the whole American force would have been inextricably hemmed in. Nor was this his only error: after taking possession of the town, he unprofitably lost time, while General Putnam, with three thousand five hundred men, effected his retreat to the main body. The ensuing day a skirmish took place between some British troops and a party of Americans, who were sent to take possession of a wood; from the vicinity of their intrenched camp, the enemy were enabled to strengthen their party with continued reinforcements; and, in the course of the action, a great number became engaged on both sides; at length the Americans retreated\*.

Before the surrender of New York, General Washington had propounded to Congress, in a manner which shewed that he entertained a predilection for the measure, the propriety of burning the city, rather than suffering it to remain as winter-quarters for the British army†. As a motive, it was alleged that a great portion of the property in the town belonged to tories. Congress gave a decided negative to this proposal‡; but whether in consequence of private instructions, incompatible with their public orders; whether some

\* An account of this transaction may be seen in Washington's Letters, vol. i. p. 262. In the account of the taking of New York, I have also consulted his Letters, vol. i. p. 258, et. seq. the papers laid before Parliament, Sparks and other historians

† Washington's Letters, vol. i. p. 246.

‡ Idem, p. 246.

individuals in the army or town thought proper to act from their own judgment; or whether from the mere malice of lurking incendiaries, the city was set on fire in several places; and, notwithstanding the strenuous exertions of the military, one-third of the buildings destroyed. The conflagration was tremendously grand; two churches were burnt, and the American army at Paulus Hook testified their joy at the fall of one of the steeples by three cheers. A few incendiaries, seized with combustibles, were sacrificed to the rage of the soldiers; nearly two hundred individuals were arrested on suspicion; but, although many cart-loads of pine sticks, daubed at each end with sulphur, were found concealed in cellars, no circumstance led to the effectual detection of the conspirators\*.

The American army being in a situation which precluded every hope of success from an immediate attack, the British General threw up a chain of redoubts on Macgowan's Hill, to cover New York, and render it capable of a vigorous defence, even after the greater part of the army should be engaged in distant operations. When this work was completed, three brigades of British and one of Hessians were left, under Lord Percy, to guard the town, and the rest of the army proceeded in flat boats and batteaux, through a dangerous passage called Hell-gate, to attack the enemy's rear by the New England road. They landed at Frog's-neck, an island connected with the main by a bridge, which was, in the course of the day, broken down, by the enemy. A movement might easily have been made, which would have reduced the Americans to the necessity of defending the island, or forcing their way through the British lines, to gain the territory of New England; but General Howe, by rejecting advice to this effect†, enabled General Washington to profit by the counsel of General Lee, and,

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1st of Sept.

Unsuccessful efforts to bring Washington to action.

12th of Oct.

\* The very slight manner in which Washington mentions the affair (see his Letters, vol. i. p. 267), leaves room for suspicion that there was some mystery in the transaction to which he was privy, but which was not to be disclosed even to all the members of Congress.

† It was proposed to Sir William Howe to pass by City Orchard, and thence to Mill's Creek and Rochelle. Lord Howe objected to Mill's Creek, under the notion of its being unsafe for ships.

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contrary to his original intention, abandon his perilous situation\*.

Without deriving any advantage from their last movement, the British forces reembarked, and proceeded along the coast to Pell's Point, where they ought originally to have landed. A skirmish took place near East Chester, between a division of the American Colonel Glover's brigade and an advanced party of the British, who succeeded in expelling them from a strong position†.

21st of Oct.  
Battle of  
White  
Plains.

26th.

28th.

The principal division of the British army, proceeding to New Rochelle, were joined by a second body of foreign troops, under General Knyphausen, who had landed safely at Mill's Creek. The Americans were stretched parallel to the British from Kingsbridge on the right, to White Plains on the left. They were separated by a deep river called the Brunx, on the eastern side of which their whole army occupied a fortified camp. The royal forces, the left commanded by General Howe, the right by General Clinton, approached White Plains, driving before them several detachments of the enemy, who created considerable alarm in the camp. The tents were standing: the hurry of striking and loading them in waggons, together with the movements of troops backward and forward, in evident irresolution, presented an extraordinary picture of confusion. The number of American forces is calculated at about eighteen thousand, but disheartened, insubordinate, and undisciplined; the British were thirteen thousand, in the utmost vigour, spirits, and discipline. The centre of the enemy was easily assailable, and success in that quarter must have been fatal to them; but General Washington having posted four thousand men in an advantageous position on an eminence, General Howe, miscalculating the importance of the situation, directed his principal efforts against it: the attack was hardly less severe and hazardous than an assault on the lines; but

\* Stedman, vol. i. p. 211. See also Washington's Letters, vol. i. p. 224.

† Stedman. The Americans are said to have been victorious, in Washington's Letters, vol. i. p. 296.

the victory gained by the intrepidity of the troops was of no effect, as the Americans, after the battle; remained tranquil in their intrenchments\*.

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After this engagement, several days were passed on both sides in strengthening their positions; the Americans, anxious to render an attack on their lines hopeless; the British General, desirous to make the event certain, by possessing himself of their rear, so as to cut off retreat, waited for reinforcements. On their arrival, a disposition was made for an attack; but the weather occasioned delay, and the Americans completed their fortifications. They did not, however, feel confident in this advantage; for, having learned from a deserter that General Howe intended to assail them the next morning, they suddenly evacuated their lines, and retired across the Croton to an impregnable position, defended in the front by the river, and in the rear by woods and heights. In their retreat, they burned all the houses and forage on Whie Plains.

30th of Oct.

1st of Nov.

Wearied with an unavailing pursuit of an enemy determined to avoid a direct encounter, the British general engaged in the reduction of Fort Washington, an important post, securing a communication with the Jersey shore, and effectually commanding the navigation of the North river; well fortified, and not to be approached without exposing the besiegers to a heavy fire. The defence was entrusted to Colonel Magaw, a native of Pennsylvania, who had quitted the bar for the military profession, and was eminently qualified for his trust. The batteries being completed, the garrison was summoned, but gallantly refused to surrender. The fort was resolutely stormed by the British army in four divisions, and, after a spirited contest, the whole garrison surrendered prisoners of war. The loss of the royal army in killed and wounded amounted to eight hundred; that of the enemy in killed, wounded, and prisoners, to three thousand three hundred. General Washington in person consulted with

Capture of  
Fort Wash-  
ington.

15th of Nov.  
16th.

\* It is suggested that Washington probably posted this corps on the right of the Brunx to cover the retreat of his army; and if General Howe entertained the same notion, it accounts for his attack.

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Magaw, in the morning of the attack, on the means of defence; and, during the action, sent instructions to hold out, and he would detach reinforcements; but the messenger arrived too late. The American general highly valued this fort, and deeply deplored the loss of so many men, and so great a quantity of artillery and stores which he despaired of seeing replaced\*.

18th.  
Successful  
invasion of  
New Jersey.

Immediately after this success, Lord Cornwallis landed on the Jersey shore; the garrison of Fort Lee, on his approach, retreated in confusion, leaving their tents standing, with all their provisions and military stores; the fort was of no consequence after the loss of Fort Washington†. The American leader, considering his only chance of safety to consist in precipitate retreat, gained, with great expedition, the further shore of the Hakensack river, leaving on the road large quantities of stores and artillery. In the space of about three weeks, Lord Cornwallis overran the whole province of New Jersey, the American general constantly flying before him‡.

17th Dec.  
Disposition of  
the British  
troops in winter  
quarters.

The winter having now commenced, the British troops were placed in winter quarters between the Delaware and Hakensack, the latter of which runs near New York. The enemy, in the mean time, retreated across the Delaware.

Expedition  
to Rhode  
Island.

During the progress of Lord Cornwallis, General Clinton, in opposition to his own judgment, was engaged in an expedition to Rhode Island, to which he was dispatched after the battle of White Plains. He strongly urged the superior advantage of being landed

\* Washington's Letters, v. i. p. 318. And for exact and interesting details, Sketches of the Life of General Greene, vol. i. p. 60.

† Washington's Letters, v. i. p. 518.

‡ From some delays made in the course of this pursuit, censure has been inferred, as if Lord Cornwallis was restrained, by want of proper activity, or withheld by the commands of his superiors; the chief proof in favour of these suppositions is, that the pursuing army generally arrived at every place from which the enemy retreated at the moment they had quitted the spot. It is to be observed, however, that the Americans had constantly such perfect intelligence of the preparations of the royal army, as enabled them to guess with certainty the intentions of the general, and so change their position at the last moment. It appears too, from the testimony of General Washington himself, that the expeditious progress of the British army was, toward the latter end of November, suspended by bad weather. See Stedman, v. i. p. 219. Washington's Letters, v. i. p. 322, 323, et passim.

at Amboy for the purpose of co-operating with Lord Cornwallis, or proceeding on board Lord Howe's fleet to the Delaware, to take possession of Philadelphia; but his propositions were over-ruled, principally because Lord Howe insisted on Rhode Island as necessary for the fleet. On the approach of the British force, the enemy abandoned the island; and the American squadron, under Hopkins, retired up the river Providence, where it remained blocked up and inactive.

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During the career of success, Lord Howe and the general issued a proclamation, recapitulating their former offers, and promising free pardons to all who should, within sixty days, appear before governors of provinces, or military or naval commanders, and enter into engagements to remain peaceable and obedient subjects\*. The lenity of this measure, combined with the progress of the army, induced great numbers to accept the proffered benefits, and intire districts renounced their arms. General Washington, during his whole retreat, complained, that notwithstanding his efforts and notices, he was never joined by the militia. The governor, council and assembly, and magistracy of New York, had deserted the province: repeated attempts to embody the militia of Philadelphia had failed; and a disposition to meet General Howe with a cheerful welcome became generally apparent. Had the British army been able to proceed immediately to Philadelphia, it was supposed the whole continent would have followed the example of that city; but they could not, for want of boats, cross the Delaware, and were obliged to wait till the ice should be sufficiently formed to permit a passage.

30th Nov.  
Proclamation  
by the Howes.

The partizans of Congress were also disheartened by the capture of General Lee, whose experience and talents were more relied on by the Americans, and dreaded by the English, than those of the Commander-in-chief. His timely discernment had already saved the provincial army, and although General Washing-

13th Dec.  
Capture of  
General Lee.

\* See the proclamation and form of pardon, Annual Register for 1777, p. 294.



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ton does not appear to have entertained a sincere friendship for him, still in the disastrous situation of the American cause, he was solicitous for his presence and assistance. Lee, while advancing to join the Commander-in-Chief, quitted his camp before Morristown on a reconnoitering expedition, and stopped, almost unattended, three miles from the main body of his troops, for refreshment: in this situation he was surprised by a detachment of light horse, under Colonel Harcourt, and conveyed with great celerity, through a considerable extent of country, to New York. This gallant exploit caused no less exultation in the British, than regret in the provincial army. No officer of equal rank being in captivity among the Americans, General Washington offered six field officers in exchange, but received for reply, that General Lee, being a deserter from the British service, could not be considered as a prisoner of war. It was ineffectually alleged on the other side, that he had resigned his commission before the commencement of hostilities; no arguments or offers could procure his release; he was confined and vigilantly guarded. General Washington declared that he would not exchange the Hessian field officers taken at Trenton, or Lieutenant-Colonel Campbell, unless Lee were recognized as a prisoner of war; and Sir William Howe, apprehensive that if he were sent to England, a close confinement of the Hessian officers would ensue, and occasion much discontent, detained him in America\*. The proceedings of Congress warranted these apprehensions. They rescinded an established regulation, in the nature of a cartel, for the exchange of captives, deprived of their parole several British officers, and declared that the treatment experienced by General Lee should form the model of their conduct toward prisoners. Still there were some who suspected that this officer was treacherous to his new allies, or that, in pursuit of some project of his own, he counteracted and disobeyed the orders of his Commander-in-Chief†.

\* Sir W. Howe to Lord George Germaine, 8th July, 1777.

† Sparks's Life of Washington, vol. i. p. 218.

In no period of this series of calamities does it appear that the firmness of Congress ever deserted them, or that they lost sight of the great object of their principal leaders, the establishment of independence, and total separation from Great Britain. Some of their measures were rash, some perhaps impolitic, and others tyrannical; but they seem on the whole to have pursued a mode of conduct more dignified than could have been expected in their circumstances, and sufficiently wise to serve as the foundation of permanent success, if they were unexpectedly favoured by fortune.

Soon after the declaration of independence, they voted articles of confederation and union, in which they assumed the appellation of "the United States of America," and limited the general dependence of each state upon the decisions of the delegates in Congress, without depriving any of their full freedom of action in the regulation of their own internal government\*. They passed resolutions for raising by loan, at four per cent., eighty thousand dollars, for which certificates were to be given, and the faith of the United States pledged to the lenders for both principal and interest†. As these certificates were transferable, and liable to be depreciated, Congress, by a subsequent law, subjected persons, refusing to receive the paper currency for goods or debts, or withholding their property from sale, or raising the price, so as to make a difference between cash and paper, to forfeiture of their goods, loss of their debts, and a penalty proportioned to the amount of their transgression‡. Another project for raising money was a lottery of four hun-

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1776.  
Exertions of  
Congress.

4th Oct.  
Articles of  
confederation.

3rd October.  
Other mea-  
sures.

27th Dec.

\* See Almon's Remembrancer, vol. iv. p. 240. Jefferson, vol. i. p. 23. The account given by this highly democratic senator of the proceedings in his own colony, Virginia, and particularly of the measures introduced by himself, is highly instructive. After re-establishing the Courts of Justice, which had long been discontinued, a bill was introduced for abolishing entails, which, it was said, created an aristocracy of wealth; and the intent was to make an opening for the aristocracy of virtue and talent. They also laid a foundation for suppressing the slave trade; for unlimited freedom in matters of religion, abrogating all distinctions derived from particular modes of faith, and placing the Jew, the Mahomedan, the Gentoo, and the absolute Infidel on the same footing with the Christian; and measures were taken for creating a penal code, from which the punishment of death was to be excluded, except in cases of treason and murder. Same, p. 31, et seq.

† See Almon's Remembrancer, pp. 219, 283.

‡ Remembrancer, vol. v. p. 36.

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18th Nov.

10th Dec.

dred thousand tickets, divided into classes, and in which five millions of dollars were distributed in prizes\*. To re-animate the declining spirit of the people, Congress published an address, in their accustomed style, recapitulating the topics of complaint against Great Britain, and fabricating many new charges arising out of the mode of conducting the war; vigour and unanimity, they said, would ensure success. They boasted of essential services already rendered by foreign states, of positive assurances of further aid, and spoke in contemptuous terms of British valour. The army, during the whole campaign, they said, had been checked in its progress, and had not, till within the last two weeks, ventured above ten miles from the fleet: their present advances were not produced by any capital success, but a sudden diminution of the American force from the expiration of enlistments. No terms could be obtained from Great Britain but unconditional submission: but cordial union would check the progress of the army, and re-animate the declining cause of America†. Even when Congress was compelled to abandon Philadelphia, and take refuge in Baltimore‡, no public act testified despair, or a desire to procure immunity by a sacrifice of public spirit. Some individuals joined the British army, and others maintained a constant correspondence with the generals for terms of safety§; but the whole body, in all their public acts, maintained an unvaried appearance of dignity and sovereignty.

20th Dec.  
They retire  
to Baltimore.

Miserable  
state of the  
army.

The army, the sole effective basis of their hopes, had been formed in a manner so unexpected, and on a plan so bad, that it could now only be viewed with sentiments of despair. The requisite interval for effecting a complete reform could not be expected; totally to disband the existing force was impossible, without abandoning every hope of final success; and yet, every disaster produced such great defalcations,

\* Remembrancer, p. 33.

† Remembrancer, vol. iv. p. 270.

‡ For this purpose they adjourned from the 12th to the 20th of December, having in the mean time appointed a solemn fast.

§ From private information.

that it was reduced to a number not exceeding five thousand, and even those were impatiently awaiting the day which should set them free from their engagement. In the beginning of hostilities, enthusiasm, and a desire of assisting in a struggle for a supposed limited object, brought great numbers to the field, who exerted themselves with surprising ardour, in the hope of abridging the contest. Yet even they were not insensible of their disadvantageous situation; they saw with joy the expiration of their term of service; and General Washington, after forming his soldiers, felt the mortification of being obliged to train a new army. His second army differed, however, in many particulars from the first; the men were raised at the instigation of others, rather than by their own impulse, and brought with them many sordid views, and personal animosities, which threatened ruin to the cause. The parsimony of Congress, animated in some measure by a jealousy of their own general, did not afford sufficient bounty to recruits, or an adequate pay to officers: consequently, men who held commissions were known to practise the lowest arts to eke out their beggarly subsistence; they even pilfered the pay and blankets from their own privates. The officers were also elected by the troops, which produced a disgusting equality, no less offensive to manners than subversive of subordination: some corps would not vote for officers unless they consented to join their pay in a common stock, from which all should draw an equal portion. This gave rise to many low practices on the part of officers, and even subjected them to the necessity of exercising their trades for subsistence; so that, in presence of several persons of consideration, one of them was seen shaving his own corps. The local animosities which distinguish every country were violent and rancorous in the American army\*; and the militia were backward, undisciplined, and refractory.

The general constantly represented to Congress the improvidence of raising a military force for so

\* Stedman, vol. i. p. 206.

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16th Sept.

18th Sept.

22nd Oct.

short a period as a year; and shewed the necessity of exercising a greater degree of vigour and generosity, by augmenting the bounties, enforcing the levies, and extending the period of service to three years, or the termination of hostilities. In pursuance of these representations, Congress passed a vote for raising eighty-eight battalions to serve during the war, and fixed the proportion to be contributed by each state\*; a bounty, at first of ten, but afterwards reluctantly increased to twenty, dollars was offered to each private; portions of land were promised to both officers and privates, or their widows or representatives, at the close of hostilities†; and, to preserve the intended benefit to the objects of its original destination, all assignments were declared void. Officers, except generals, were to be appointed by the governments of the several states; the commissions to be issued by Congress. The charge of clothing was, however, to be deducted from the pay of the privates; and where men had already received a bounty of ten dollars, that sum, by a resolution no less impolitic than mean, was to be deducted in case they should re-enlist‡. Orders were also issued for preventing the monopoly of military necessaries, for a more effectual supply of gunpowder, and for assuring its quality. These measures were not adequate to the increasing exigencies; Washington remonstrated against the parsimony of Congress, and advised that, instead of eighty-eight battalions, a hundred and ten should be raised: but even the smaller number could not be procured; the militia could not be stimulated

\* It was as follows: Virginia and Massachuset's Bay, 15 battalions each; Pennsylvania, 12; North Carolina, 9; South Carolina, 6; New Hampshire, 3; Connecticut and Maryland, 8 each; Rhode Island, 2; Delaware, 1; Georgia, 1; New York and Jersey, being partly in the possession of the British, only 4 each.

† The lands were promised in the following proportions:

To a colonel.....	500 acres.
Lieutenant-colonel.....	450
Major.....	400
Captain.....	300
Lieutenant.....	200
Ensign.....	150
Each non-commissioned officer and soldier..	100

‡ See Almon's Remembrancer.

into exertion ; and the General saw that ten days more would terminate the existence of his army\*.

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General Howe, relying perhaps with too sanguine confidence on the terror which his successes would spread among the Americans, divided his army into small detachments, far distant from each other, forming a chain of communication from the Delaware to the Hakensack, no less than eighty miles. Trenton and Bordenton, the barriers to the Jerseys, and lying nearest to the enemy, were defended by Hessian troops, under Colonel Rhalle and Count Donop; these foreigners were offensive to the inhabitants from their inordinate rapacity in pursuit of plunder: they were unacquainted with the language, and incapable of obtaining proper intelligence. By a singular providence, the posts of Trenton, Bordenton, White Horse, and Burlington, were weakest in respect of troops, and left unsecured from attack by any works of art, not a single redoubt or intrenchment being thrown up to prevent surprise; the other posts, in defiance of reason, were made stronger in proportion to the increase of their distance from the enemy, and decrease of their probable danger.

1776.  
20th Dec.  
Hessians  
stationed at  
Trenton.

General Washington, well apprized of these favourable circumstances, strongly felt the necessity of making some brilliant effort before the expiration of the year, but was at a loss for the means, particularly boats, when General Arnold visited the camp, and suggested a judicious and daring manœuvre†. Washington readily adopted Arnold's plan, and that enterprising officer having in twenty-four hours collected a sufficient number of boats, the Commander-in-chief, by a judicious feint, drew Count Donop with his whole force from Bordenton, and, dividing his troops into three parties, commanded them to meet on the banks of the Delaware on the night of Christmas, a season when customary festivity would add to the effects of the relaxed discipline which prevailed among

Surprised by  
Washington.

26th Dec.

\* Washington's Letters, vol. i. p. 349.

† From private information.

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the Hessians. Although the passage was begun as soon as it was dark, yet, from the quantity of ice, the artillery did not reach the opposite shore till three o'clock, and did not take up their line of march till almost four. Notwithstanding these difficulties and delays, Washington formed his detachment, consisting of two thousand five hundred men, into two divisions, and each took a different road. As the distances were nearly equal, both were directed, immediately on forcing the guards, to press into the town, that they might charge before the Germans had time to form. They marched in a violent storm of snow and hail; the first division arrived exactly at eight o'clock, the other in three minutes after: the out-guards made little opposition, being only few in number; they kept up, however, a constant retreating fire from behind the houses: the main body formed; but Colonel Rhalle, and seven other officers, being wounded, and the Americans surrounding them on all sides, twenty-three officers, and eight hundred and eighty-six men, laid down their arms. The enemy achieved this exploit with no loss, having only two officers and one or two privates wounded. The entire force in Trenton consisted of fifteen hundred men, forming the regiments of Lanspach, Knyphausen, and Rhalle, and a troop of British light horse; but, on the beginning of the attack, the remainder effected their escape by the road toward Bordenton. These would also have been captured, had the other two divisions of the American army been able to execute their instructions. General Ewing, who commanded one party, was to have passed the Delaware at Trenton ferry, and taken possession of the great bridge; General Cadwallader was instructed to cross with the Pennsylvania militia from Bristol. Ewing found it impossible to disembark any portion of his force, from the great quantity of ice; and Cadwallader, after landing part of his infantry, was obliged to re-embark them, because he could not transport his artillery. General Washington, apprehensive of an attack from the post below Trenton, returned to

Morristown the same evening, with the prisoners and artillery he had taken; there were very few stores\*.

Washington's chief object in this exploit was to encourage his partizans, by a successful attempt; but he never seriously thought the military consequences could answer any further purpose than that of shewing that the redoubted Hessians, the veterans so much dreaded in America, were not invincible. The prisoners were accordingly conveyed to Philadelphia, and paraded through all the streets, serving at once as evidence of the reality of the victory, and an excitement to military ardour. The General, contrary to his expectations, finding that the scene of his success was not immediately re-occupied by the British troops, ventured, in spite of ice and difficulty, again to cross the Delaware, with the same division of his army†. At Trenton, he made a muster of his force; but the persuasions of officers, and an advance of ten dollars to each, could only prevail on about half of those whose term of service was expired to engage for six weeks longer.

Meanwhile the re-appearance of Washington on that side of the Delaware had alarmed the British commander; and Lord Cornwallis, who had already reached New York, on his way to England, was ordered back to the Jerseys: he speedily effected a junction with General Grant, and found Washington, who had retired from Trenton, posted on some high grounds: a cannonade was carried on till night, and Lord Cornwallis expected to renew the attack in the morning; but the wary leader of the American troops, perceiving his opponent to be much superior in numbers, and hoping to surprise Princeton, where he rightly conjectured a small force only was left, quietly dispatched his baggage to Burlington soon after dark, renewed his fires at midnight, and leaving guards at the bridge in Trenton, marched off silently by a circuitous and dangerous route. About sun-rise he reached Princeton, where he found only three regiments, and three troops of light horse, under the com-

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1st Jan.  
1777.

Lord Corn-  
wallis returns  
to the army.

2nd Jan.

3rd Jan.  
Washington  
surprises  
Princeton.

\* This account is principally taken from Washington's own Narrative; Letters, vol. i. p. 360.

† See Washington's Letters, vol. i. p. 363.



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mand of Colonel Mawhood, who had just begun his march to join Lord Cornwallis. The colonel at first mistook the advanced guard of the enemy for Hessians ; but, soon recognizing his mistake, charged with great impetuosity ; the van of the Americans was disordered ; the seventeenth regiment, led by Captain Scott, pressed forward with fixed bayonets, drove them into a ravine, where, finding himself unable to contend against numbers so much superior, he cut his way through, and pursued his march to Maidenhead, a village situated between Princeton and Trenton. The other two regiments, unable to make a similar progress, retreated to Brunswick with a loss of nearly half their force : the Americans took possession of Princeton, where they acquired some blankets, shoes, and a few other trifling articles ; burned the hay, and destroyed some other effects : they captured also two brass field pieces, but, for want of horses, could not carry them away ; the number of prisoners was near eight hundred, among whom were fourteen officers, all British.

At day-light, Lord Cornwallis discovered the retreat of the American army ; and, entertaining apprehensions for the safety of Brunswick, which was in a defenceless situation, hastened to its relief. Had the American General made this attempt, he would have destroyed all the British stores and magazines, and taken the military chest, containing seventy thousand pounds : his original plan was to have pushed on to Brunswick ; but the harassed state of his forces (many of whom had not slept for thirty-six hours), and the danger of losing the advantage already gained, by aiming at too much, induced him, by the advice of his officers, to relinquish the attempt. This change of determination may be principally imputed to the gallant resistance made by Colonel Mawhood, which occasioned such delay, that before the pursuit was finished, the rear of the English was in sight. Washington, however, having had the precaution to break down the bridge over Stony brook, obtained sufficient time to retreat unmolested to Pluckemin\*.

\* Washington's Letters, vol. ii. p. 3. Life by Sparks, vol. i. p. 213 to 261.

Lord Cornwallis with great difficulty pursued the track of the Americans, and was obliged to halt at Brunswick to refresh and repose his army. General Washington, perceiving that the British had totally evacuated Trenton and Princeton, took the opportunity, while Lord Cornwallis remained at Brunswick, to overrun all East and West Jersey, spreading his army over the Rariton, and penetrating into Essex county, where he made himself master of the coast opposite to Staten Island, by seizing Newark, Elizabeth Town, and Woodbridge. His head-quarters he fixed at Morristown, situated amongst hills, extremely difficult of access. A fine country was in his rear, whence he could draw supplies, and through which he could at any time secure an easy passage over the Delaware. These judicious movements not only saved Philadelphia and Pennsylvania, but recovered great part of the Jerseys, in defiance of an army superior in discipline, resources, and numbers. Of all their recent extensive possessions in the Jerseys, the English now retained only the posts of Brunswick and Amboy, situated at different points on the banks of the Rariton.

Thus the campaign of 1776 concluded, and the review affords few motives of satisfaction: the progress of the British arms was arrested, and the result of previous successes ravished from their grasp by an enemy in every respect inferior. The tardy commencement of the campaign gave time for Congress to issue their declaration of independency, which frustrated all attempts at conciliation; but had General Howe, who possessed abundant means, begun his operations earlier, and with vigour, the violent party would not have obtained the sanction of the people in rejecting the proffered terms of peace. The languid pursuit of the Americans across the Jerseys had been perhaps more blamed than it deserves: the progress of the British troops was impeded at the close of November by bad weather, and no delay took place afterwards which could be avoided: the Americans possessed the advantage of moving a light unincumbered body of troops over a territory with which they were perfectly

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And recovers  
the Jerseys.

Observations  
on the cam-  
paign.

acquainted. The generals have been frequently accused of neglecting opportunities to gain the rear of the American army, and thus completely overwhelm them; but such allegations were always to be received with caution; a movement of the kind appears perfectly easy to men who merely reason, and is easily demonstrable on paper; but, if attempted in the field, might involve a victorious army in ruin, or at best be frustrated by the most simple dictates of the momentary exigency. No adequate vindication, however, appears for the strange manner in which the troops were posted in the Jerseys: General Howe adopted the measure in contradiction to his better judgment\*; but his error is in every point of view inexcusable. Equally culpable was the shameful neglect of caution and discipline which facilitated the surprise at Trenton, and for which Colonel Rhalle paid with his life. But Rhalle alone was not blameable: General Grant, his superior in command, omitted the important duty of visiting posts, giving orders, and personally inspecting their execution. After the event at Trenton, the British army seems to have been paralysed by alarm, incapable of resolute measures for assailing a foe who still held them in terror, or for prudent defence of a province, which no force possessed by the Americans could have wrested from them.

The pacificatory powers were not always used with judgment: the proclamations and overtures for conciliation were wise and sufficiently dignified; but when the most considerable persons in New York, Queen's County, Long Island, and several towns, ports, and inferior places, presented petitions to the commissioners, professing an acknowledgment of the supremacy of the King and the constitutional authority of Great Britain; and when they followed these declarations by raising a militia, and a considerable body of troops for the royal service, no attention was paid to their

\* He was remonstrated with on the subject, and, a few days before Washington's attack, wrote to a general officer in these terms: "I have been prevailed upon to "run a chain across Jersey; the links are too far asunder." From private information.

request for a restoration of those rights which the law and the proclamation intitled them to claim. In such a period, when the public faith was to be vindicated, and a good example presented, verbal disquisitions should not have been sought; and if declarations, attended by such acts, were not so forcibly worded as the friends of parliamentary authority might wish, it was the interest, and the duty, of the commissioners to present every facility to an accommodation, which was of more importance than a long series of victories\*.

But if this neglect was prejudicial to the British cause, how much more fatal was the detestable licentiousness in which the military were permitted to indulge in the Jerseys. Plunder and wanton insult disgusted and incensed the natives, and afforded opportunities of reproach, which were not neglected by the partizans of America†; details of each specific wrong were taken on oath, and published in the newspapers, to irritate the people against the King and the British nation. Thus the minds of the loyal received a contrary impulse, and many in desperation joined the Americans‡. In vain will it be alleged, in palliation of these undenied enormities, that it was impossible to restrain the furtive and licentious disposition of the foreign mercenaries. Were this allegation true, it proves only the impolicy of taking up winter-quarters, with such troops, in a place where it was desirable to keep alive the spirit of loyalty: but, on the contrary, Rhode Island, under the more discreet and correct management of Lord Percy and General Clinton, exhibits not a single instance of complaint.

\* See Annual Register, 1777, p. 13.

† See Galloway's Letters to a Nobleman on the Conduct of the War in the middle Colonies, p. 42. Washington's Letters, vol. ii. p. 2.

‡ Galloway's Letters to a Nobleman, p. 43.

## CHAPTER THE THIRTIETH.

1776—1777.

Meeting of Parliament.—King's Speech.—Debates on the Address.—Differences in Opinion among the Members of Opposition.—Debate on the Proclamation at New York.—Partial Secession of Opposition.—Recess.—Attempt to burn the Royal Arsenals.—Bill for suspending the Habeas Corpus.—Amended in the Committee.—Act for issuing Letters of Marque.—Lord Chatham's Motion respecting America.—Debates on Taxes and Supplies.—King's Message respecting the Arrears of the Civil List.—Supply granted.—Debate and Protest in the Lords.—Speech of Sir Fletcher Norton on presenting the Bill to the King—he is thanked by the House—Debate on the Subject—his Conduct more decisively approved.—Close of the Session.—King's Speech.—State of the Public Mind.—State and Views of Foreign Powers with respect to Great Britain.

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1776.  
31st Oct.  
Meeting of  
Parliament.  
King's  
speech.

A TEMPERATE speech from the throne opened the session of Parliament. The King declared nothing could have afforded him so much satisfaction as to state, that the troubles by which the American colonies had been so long distracted were at an end; and that the unhappy people, recovered from their delusion, had delivered themselves from the oppression of their leaders, and returned to their duty: but so daring and desperate was the spirit of those leaders, whose objects had always been dominion and power, that they had openly renounced all allegiance to the Crown, and all political connexion with this country; rejected, with circumstances of indignity and insult, the means of conciliation, and presumed to set up their rebellious confederacies for independent

states. If their treason was suffered to take root, much mischief must grow from it to the safety of the loyal colonies, the commerce of the kingdom, and indeed to the *present system of all Europe*. The success of the British arms gave the strongest hopes of decisive good consequences; but, notwithstanding this fair prospect, it was necessary to prepare for another campaign: he recapitulated the pacific assurances of the European powers, and observed, he could have in this arduous contest no other object but to promote the true interest of his subjects. No people ever enjoyed more happiness, or lived under a milder government, than the revolted provinces; a fact proved by their progress in the arts, their numbers, their wealth, and strength by sea and land, which inspired an overweening confidence. He was desirous to restore to them the blessings of law and liberty, equally enjoyed by every British subject, which they had fatally and desperately exchanged for the calamities of war, and the arbitrary tyranny of their chiefs.

In the House of Lords, the Earl of Carlisle moved the address; and an amendment was proposed by the Marquis of Rockingham, in which he was seconded by the Duke of Manchester.

Address  
moved and  
amendment  
proposed.

It began by affirming that the disaffection and revolt of a whole people could not have taken place without great errors in conduct toward them. These errors were imputed to a want of sufficient information in Parliament, and a too implicit confidence in ministers. Hence, schemes for the reduction and chastisement of a supposed inconsiderable party of factious men, had driven thirteen large provinces to despair: a hearing had been refused to their reiterated complaints; and commissioners, nominated for the apparent purpose of making peace, were furnished with no legal power but that of giving or withholding pardons at pleasure. His Majesty, instead of sending them out as speedily as possible, according to the promise in his speech at the opening of the last session, had not dispatched them till seven months afterward; consequently the inhabitants of the

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colonies, apprized that they were put out of the protection of government, and seeing no means provided for their return, were furnished with reasons but too plausible for renouncing dependence on the Crown. "We understand," the amendment proceeded, "that, amidst the many disasters and disgraces attending his Majesty's arms in America, an advantage has been gained in the province of New York, which, if wisely, moderately, and providently used, may produce happy effects. Nothing shall be wanting on our part to forward reconciliation, by laying down permanent grounds of connexion between Great Britain and her colonies, on principles of liberty, and terms of mutual advantage. We should most heartily congratulate his Majesty on any event leading to the great desirable end of settling a durable peace by the restoration of the ancient affection which happily subsisted in former times. We should regard, with shame and horror, events tending to break the spirit of any large part of the British nation; to bow them in abject, unconditional submission to any power; annihilate their liberties, and subdue them to servile principles and passive habits, by the mere force of foreign mercenary arms; because, amidst the excesses and abuses which have happened, we must respect the spirit and principles operating in these commotions. Our wish is to regulate, not to destroy them; for, though differing in some circumstances, those very principles evidently bear so exact an analogy with those which support the most valuable part of our own constitution, that it is impossible, with any appearance of justice, to think of wholly extirpating them by the sword, in any part of his Majesty's dominions, and establishing precedents the most dangerous to the liberties of this kingdom."

The advocates for the amendment maintained that the assertion of his Majesty, that the people of America, before their revolt, were free and happy, was a virtual censure on the present administration, and pointed out the impolicy of forcing such a people into rebellion. America owed her greatness to a system of

mild government; and the deviation from it caused the present unnatural civil war. Through the medium of the speech, ministers made a panegyric on their own conduct; but was it within their own experience, or had they ever heard, that a whole people, so numerous, living under so many forms of government, ever unanimously confederated to join in a revolt under a mild, wise, and equitable administration of public affairs? If they declared themselves independent, it was long after they were declared enemies; and it was not possible to define what degree of obedience was due where public protection was withdrawn. The British empire was compared to that of Rome in its decline. Imperial Rome oppressed her provinces and dependencies like Britain; and, as the distant subjects of that overbearing mistress of the universe, by the injustice and severity of her government, had been forced to resist her lawless power, so this country had alienated the obedience and affections of her American subjects, which would bring on a dismemberment of the empire, and probably terminate in a total dissolution of this government.

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The friends of administration observed, that the daring and open hostilities which preceded the declaration of independency would never have happened, if a disobedient, traitorous spirit had not been fomented, nourished, and strengthened by a party in Great Britain, who, deserting her interests, shamefully sacrificed them to personal views of faction and ambition. The ground taken in the amendment became dangerous in proportion to its plausibility; for it was, indeed, hardly conceivable, that the people of America, who owed so many obligations to the parent state, who were at once bound to it by every tie of gratitude and interest, and every bond of union which nature and affection could render sacred, would break and cancel them all without real provocation; but the event had proved the contrary; and, as opposition was formerly founded on the idea, that America never did aim at independency, as the question had totally altered its nature, the unanimity ought to be as complete as it

Arguments  
against it.



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Differences  
of opinion  
among the  
opposition.  
Lord Shel-  
burne.

would be decisive in restoring peace to a distracted and divided empire. Great Britain, deprived of the wealth and strength acquired from the colonies, would lose her importance in the system of Europe, and, in the end, become a province of the first ambitious power who might think proper to attack her. Great Britain and Ireland, inferior in population, and divided by seas, could not withstand the formidable power of France, if divested of the sources of wealth and strength derived from the colonies, which must be the result of tamely permitting America to remain independent.

The lords in opposition, although they agreed in reprobating the King's speech and the conduct of ministry, were not in unison in other respects. Lord Shelburne called the speech a piece of metaphysical refinement, framed for delusion; the defence a continuance of the imposition; a mere string of sophisms, no less wretched in their texture than insolent in their tenor; a mixture of unqualified absurdity, treachery, cruelty, hypocrisy, and deceit. He descanted on the different paragraphs, pronouncing them all utterly false, differing only in this, that some of the falsehoods were fallacious, some specious, some gross and notorious.

The Duke of  
Richmond.

The Duke of Richmond declared himself morally certain that all attempts to recover America would be vain; the moment was passed; she was irretrievably lost; and it would be much better to have the people friends than enemies, even at the price of acknowledging their independence.

Lord Sand-  
wich.

Lord Sandwich considered such doctrine derogatory to the honour, disgraceful to the character, and destructive to the interests of England. He would hazard every drop of blood, and the last shilling of the national treasure, rather than Britain should be set at defiance, bullied, and dictated to by her ungrateful and undutiful children, her disobedient and rebellious subjects: and Lord Shelburne said, he never meant that this country should relinquish its right of commercial controul over America; on the contrary, the

power of regulating the colonial trade was the very essence of the connexion between the countries; even were this regulatory power, in its most full and extensive sense, acknowledged by the colonies, something more was to be expected; for the national debt was truly and equitably the debt of every individual in the whole empire, whether in Asia, America, or nearer home.

After a long discussion respecting the hostile intentions of France and Spain, and the state of the navy, the amendment was negatived\*, but entered on the journals in a protest, signed by fourteen peers.

An amendment, in the same words with that of the Marquis of Rockingham, was moved by Lord John Cavendish, and seconded by the Marquis of Granby; and if, in supporting it, members were at any time deficient in argument, the void was amply filled up with harsh, unmitigated invective.

The King's speech was termed an infamous libel, fabricated by a tyrannical faction against some of the most valuable members of the British community, who, actuated by principles of justice and honour, were ably contending for the dearest rights of mankind, and who were falsely accused of having no other object in view than anarchy and independence. Ministers were described as a faction of despots, presiding over an ostensible government, fitter for the cells of Bedlam than the efficient cabinet of a limited monarch, whose sole right to the diadem was that of election from the people. To invoke the special interference of Providence in such an undertaking was the most profligate excess of blasphemy.

The value of the conquests made by the British arms was studiously depreciated. The victory at Long Island was not a matter of triumph; the island itself was a mere outpost to New York, as New York was an outpost to America, and it would have been the extreme of folly and rashness in the provincials to attempt maintaining it. The use of the word treason, in the

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Amendment  
moved in the  
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\* 242 to 87.

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King's speech, afforded much ground for reprehension, for strenuous vindication of the Americans, and prognostics of final failure. "Alas! Sir," Mr. Wilkes exclaimed, "what we call treason and rebellion, and they just resistance and glorious revolution, has taken root, a very deep root indeed, and has spread over almost all America. The loyal colonies are three, the free provinces thirteen." The declaration of independence, he observed, was not entirely unexceptionable; but the Americans were driven to it by rigorous persecution. We had hired foreign troops to fight against them, and they had no resource but throwing off the yoke, and inviting foreign aid. Ministers might safely predict that the Americans would declare themselves independent, when they knew that the unjust and sanguinary measures they intended to pursue must occasion the event. The Jesuits risked nothing when, in 1610, they prophesied the death of the best prince that ever reigned in Europe, within that year; they verified it by employing Ravillac to assassinate their sovereign. The colonists followed the example of England against James II. When he quitted the kingdom, they declared the throne abdicated, and chose another king. When the late severe laws were passed against the Americans, they were thrown into anarchy; they declared we had abdicated the government, and therefore they were at liberty to choose a government for themselves. "The speech mentions a discovery of the original designs of the leaders of the Americans. In God's name who made the leaders? How came they to be so? If you force men together by oppression, they will form into bodies and choose leaders. Mr. Hancock was originally a merchant of credit and opulence: such men are not very prone to a change of government. A few old women have said that the civil war of last century was contrived by Cromwell; the first opposition to Charles I was begun in order to advance him to the protectorship. A similar sagacity and penetration have now happily

“ discovered the original views of those who are leaders  
“ of the Americans. We have been two years engaged  
“ in a savage and piratical as well as unjust war;  
“ every demand of government has been complied  
“ with, and not a single province has been hitherto  
“ recovered; on the contrary, the evil grows more  
“ desperate; last year only twelve colonies petitioned  
“ the throne; this year, by the accession of Georgia,  
“ we have seen a federal union of thirteen free and  
“ powerful provinces asserting their independency as  
“ high and mighty states, and setting our power at  
“ defiance. This was done immediately after the safe  
“ landing of your whole force, with circumstances of  
“ spirit and courage to which posterity will do justice.”  
The line of conduct recommended by the amendment  
was considered as not sufficiently extensive to save the  
empire. To preserve, even for a short period, Canada  
or the West India Islands, or to recover any part of  
the immense territory lately lost, the fleets and armies  
must be recalled, all the acts passed since 1763 be re-  
pealed, and the charters restored. We might then, if  
they could forgive and trust us, treat with the Ameri-  
cans on fair and equal terms, without the idea of com-  
pulsion, and a foundation might be laid for restoring  
peace, internal tranquillity, and unity, to this convulsed  
and dismembered empire. If conquest or abandon-  
ment were the only alternatives left, America should  
be abandoned. The benefits hitherto resulting from  
the possession of America had been extent of trade,  
increase of commercial advantages, and a numerous  
people growing up in the same principles and senti-  
ments with ourselves. All these must be lost if Ame-  
rica was conquered; possession must be secured by a  
large standing army; which army must be cut off from  
the intercourse of social liberty in Great Britain, and  
accustomed, in every instance, to bow down and break  
the spirits, trample on the rights, and live on spoils  
cruelly wrung from the sweat and labour of their fel-  
low-subjects; such an army, so employed and so paid  
for supporting such principles, would be a proper  
instrument to effect purposes of a greater, or, at least,

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more favourite importance; points more immediately hostile to the liberties of the country.

The interposition of the Bourbon family was pronounced inevitable, no less speedy than certain; Colonel Barré peremptorily asserted, that a war of the most serious kind was impending, a war with the united powers of France and Spain. Mr. Wilkes ridiculed the reliance on the pacific declarations of our natural enemies. "Has fate ordained," he said, "that we shall neither possess capacity to profit by the example of others, nor even by our own experience! In the very first year of the present reign, in September 1761, the Gazette told us, 'the Catholic King had, at no time, been more intent on cultivating a good correspondence with England, than in the present conjuncture;' a declaration received seriously here, held out as part of the court creed, and laughed at by all the rest of Europe. In the beginning of the following January, without the occurrence of new facts of any moment, war was declared by England against Spain. Will the plausible, smooth-tongued French, likewise be able to lull us into a fatal security against the evidence of all history?" Mr. Fox denied the principle, that it was repugnant to the interests of France and Spain to permit the independence of America: such an assertion was contrary to common sense. Is not the division of an enemy's power advantageous? Is not a free country, engaged in trade, less formidable than the ambition of an old corrupted government, their only formidable rival in Europe?

In the course of the debate, several animadversions were made on a large creation of peers during the recess, and on the issuing press-warrants to man the navy, which had occasioned some discussions between the admiralty and the city. The King's, or, as it was for form's sake termed, the minister's speech, was reprobated as an entire compound of hypocrisy, an infamous, groundless libel, fabricated by a tyrannical faction against some of the most valuable members of the British community. An insidious, hypocritical speech,

that held out law and liberty at the point of the sword, and, like a deceptive mirror, reflected a false image of truth.

Government was defended by Lord North and Lord George Germaine; but they did not traverse the extensive field to which they were challenged by the declamations of opposition. The minister denied the charge of withholding information; he always communicated as much as he could, consistently with safety. Lord George Germaine said, that even the American statements of the propositions made by General Howe, proved that he was eager for the means of peace and conciliation, but Washington was adverse. The forcible and satisfactory assurances of the court of France afforded no reason to doubt their pacific intentions; should it, nevertheless, prove otherwise (and the minister, not pretending to be a prophet, would not answer for the events of the next six months), Great Britain was prepared to cope with any enemy. The notion that the house of Bourbon should engage in war to assist America, was treated with great disdain: "Would those countries," Lord George Germaine asked, "blind to their own interests, wish the spirit of independence to cross the Atlantic? Could they be exempt from fear that their own colonists would catch fire at the unlimited rights of mankind; and prefer that language to slavery and digging gold? And would not great danger arise from the vicinity of powerful independent states, freed from European controul?"

Lord North repelled the charge of hypocrisy, so freely advanced against that part of the speech which stated the King's desire to restore to the Americans law and liberty. Instead of being absurd or hypocritical, it was supported by fact and sound logic; law and liberty were fled from America, but the debate of the day had fully proved they had not quitted this country. Those who had thrown so many reflections on administration would have found a grievous difference had they dared to make so free with the Congress. It had always been the wish of administration to bring

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6th of Nov.  
Debate on  
the procla-  
mation at  
New York.

matters to an early issue, and avoid bloodshed ; to use success and victory with prudence and moderation, rather as means of cementing lasting unity and amity, than as objects of triumph, instruments for forging the chains of slavery, or excuses for tyranny and oppression.

The amendment was negatived\*.

Lord John Cavendish again solicited the attention of the House, by producing a copy of the declaration issued by Lord Howe and his brother, on taking possession of New York, which had been recently published in the newspapers. The authenticity of the proclamation being avowed by the Chancellor of the Exchequer and Secretary of State for America, Lord John Cavendish, although astonished at the contents, and the extraordinary manner in which they were imparted to the public, congratulated the House on the gleam of peace and conciliation. Parliament had been treated with the most mortifying contempt ; commissioners were sent out with powers only to grant pardons and receive submissions ; yet, wonderful to relate, Parliament is informed, through the channel of a newspaper, that those commissioners are authorized to answer directly for the sovereign, and obliquely for the concurrence of the two other branches of the legislature in revising all acts by which the Americans are aggrieved. Parliament were reduced to cyphers in the whole conduct of the business ; they were called upon to sanction acts which would render them abhorred by their fellow subjects in every part of the empire ; but when an appearance of lenity is shewn, all the merit was attributed to the King and his ministers. Yet, if the proposals were sincere, he would not, by objections founded on mere punctilios, deprive the negotiation of its due weight and efficacy : Parliament ought, as the first proof of a pacific disposition, to co-operate in so desirable a work. He intended, therefore, to move that “ the House should resolve itself into a “ committee, to consider of the revisal of all acts of

\* 242 to 87.

“Parliament by which his Majesty’s subjects in America thought themselves aggrieved.” This motion, if acceded to, would remove the strong impression existing in the minds of the Americans, that under every ministerial promise lurked treachery, deceit, imposition, or an insidious intention to divide, in order the more easily to break their strength and subdue them.

Mr. Burke seconded the proposition, and, in the debate, spoke with enthusiasm of the *exalted heroism* of an old woman, found in a cellar at New York, besmeared and smutted all over, marked with rage, despair, and resolution, who had buried herself in combustibles to fire the city and perish in its ashes. He called this conflagration an interposition of Providence, to arrest the progress of British arms in the moment of success.

Although two Gazettes had been published, it was said the ministers had not in either allotted a place to the most important paper which had appeared during the contest. Parliament was trifled with by the concealment of such a dispatch, and the King was either made to guide their proceedings, or give insincere promises. The proclamation was, in fact, a mere mockery; the departure of the commissioners having been purposely delayed till the declaration of independence frustrated their pacific proposals. The only terms really intended were, “Lay down your arms, and then we will do just as we please:” the most cruel conqueror, Mr. Burke observed, could not say less; and if a conquest had been gained over the devil himself in hell, a smaller portion of liberality could not have been shewn.

The ministry, declining to investigate critically, literally, or philologically, the passage in the declaration which gave rise to the present motion, defended themselves on each of the points urged by opposition. The proclamation was not, as had been supposed, received with the dispatch from General Howe; but was left at Falmouth with papers of inferior importance, and, being transmitted to the metropolis in the



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usual way, did not arrive until the Extraordinary Gazette was already published; nor did the ministers consider it of importance enough to claim a place in the Gazette; but it was not concealed, many copies having been affixed to the walls of New York, and dispersed through America. The King, in promising a revision of the obnoxious acts, spoke only as the head and mouth of the nation and the legislature; but the declaration of independence rendered the parliamentary interference, proposed by the motion, utterly improper. Was it consistent with common sense to aim at obliging those whose principal object was to render themselves free from all connexion with Great Britain, as their superior? The question of independency must be settled as a preliminary; if the Americans adhered to that, it would be vain to think of discussing any other. The right to tax could not be agitated as the means of reconciliation; nor would the restitution of charters give satisfaction to the insurgents. They openly declared themselves as unwilling to submit to the terms of their charters as to the Boston acts: while the spirit of independency remained unsubdued, resolutions or revisions would not be efficient means of conciliation. To treat, while they avowed their sovereignty and independency, or form legislative regulations for those who, both as subjects and independent states, had ever disputed the power and authority of parliamentary legislation, was impossible. Let them acknowledge the right, point out the constitutional abuse of it, and the grievances flowing from that abuse, no objection should be made to the proposed committee, or to the adoption of efficacious and speedy measures, not only for remedy of real grievances, but even, in some instances, for accommodating their prejudices. The Americans, it was observed, had no reason to wish for a continuance of their present government. The Congress tyrannized over the people; their power and practice of punishment by imprisonment were utterly incompatible with every idea of freedom. The liberty of the press was annihilated; a printer who dared to publish a senti-

ment or fact contrary to their system and interests, would be instantly ruined; nor was the freedom of private letters, or private conversation, tolerated. The success of the royal army might, it was rationally hoped, dissolve this horrible tyranny, and enable the oppressed Americans safely to avow their real opinions, and, without danger, return to their duty.

The motion was complained of as a surprise, a sudden and unexpected manœuvre, no business of consequence being expected before the recess; and it was rejected\*.

From this time many members of opposition, particularly the Rockingham party, withdrew whenever any question relative to America was to be discussed: to make their conduct more conspicuous, they generally attended the private business, and then, in a formal manner bowing to the chair, retired. Such secessions were not new; nor have they ever been known to produce any good effect; the act of retaining a seat in the senate, and yet ostentatiously refusing to fulfil any of its duties, is in itself of a nature to demand vindication or apology: the objections are broad and easy of comprehension; the justification, if valid as to political circumstances, is subject to many cavils, arising from the personal motives which may be imputed to individuals. In the present case, the measure wanted the respectability which results from unanimity; and the reasons advanced in its defence were not sufficient.—“All opposition to the measures of government,” it was said, “particularly with respect to American affairs, was not only vain and fruitless, but, from the overbearing force which supported the ministers on every question, it became worse; it became frivolous and contemptible. It was too degrading to be the continual instruments of opposing the ineffective weapons of reason and argument to the deaf insolence of an irresistible power which had long determined on its conduct, without

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Partial secession of opposition.

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“ the smallest regard to either. It was impossible to  
 “ save a people against their will ; and the minority  
 “ had for a succession of years repeatedly apprized and  
 “ warned the nation of the dangers attending the  
 “ ruinous measures then pursued, and of the fatal  
 “ precipice that must terminate that mad career in  
 “ which they were blindly and desperately driven.  
 “ The people, deluded by various arts, and influenced  
 “ by passion and prejudice, cordially acquiesced in the  
 “ opinions of administration ; and it was not consistent  
 “ for those who regarded their honest fame beyond all  
 “ other considerations, excepting their principles and  
 “ honour, to incur odium by ineffectual efforts. They  
 “ would, therefore, preserving their principles still  
 “ unshaken, reserve their activity for rational endeavours, when the present delirium might be so far  
 “ allayed, either with the people or the ministers, as  
 “ to afford room for its operating with advantage\*.”  
 These pretences, however loftily sounded, bespeak only the rage and mortification of a party disappointed in a contest for power ; if the measures pursued by administration were successful and popular, opposition was needless ; but a formal secession marked neither wisdom nor magnanimity. Removed from the senate, the proper sphere of action and true source of honourable distinction, the most eloquent and discerning lose their pre-eminence, and become confounded with the ignorant ; the public rarely feel the want of individuals so much as to demand exertions from those who are reluctant ; and no great body can be expected to bend to a mode of conduct, which seems the offspring of sullenness, caprice, or vanity. In the present instance, the seceders were extremely unfortunate : could they have foreseen the reverses attending the close of the campaign, they would not probably have absented themselves so early in the session ; they regarded only the present aspect of affairs, had few adherents in England, and, from the course of the war, despaired

\* Annual Register for 1777, pp. 49, 50. See also Burke's Letter to the Sheriffs of Bristol.

of long retaining an ostensible party in America. When the prospect in this quarter brightened, they returned.

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The resolutions on the navy and army estimates were voted without much opposition, and on the day appointed for a general fast\*, both Houses adjourned for the Christmas recess.

Recess.

13th Dec.

While Parliament was engaged in discussing the conduct of incendiaries in America, the prosperity of England was imminently endangered by an individual of that detestable description. A gloomy, unsocial, erratic adventurer, whose real name was James Aitken, but his common appellative John the Painter, after a long residence in America, went to Paris, and received encouragement from Silas Deane to undertake the destruction, by fire, of the dock-yards throughout England. This man had been long habituated to crime; but his want of sociality prevented him from being traced or betrayed, and thus secured him from punishment. Neither suspicion nor ordinary vigilance prevented the full execution of his plan, but his ignorance in the preparation of combustibles, some of which, after being safely deposited and lighted, failed in their effect. The ropehouse at Portsmouth was destroyed, and Government, alarmed and astonished, pursued such measures that he was apprehended, convicted, and hung in chains. His papers contained instructions for a correspondence with some party in Paris, through the medium of low persons; his confession proved his being employed by Silas Deane, and

Attempt to  
burn the  
royal  
arsenals.

7th Dec.

10th March.

\* Of the proclamation for this act of national humiliation, Mr. Burke spoke (Nov. 6) in these terms, "We are called upon to go to the altar of the Almighty, with war and vengeance in our hearts, instead of the peace of our blessed Saviour. He said, 'My peace I give you;' but we are, on this fast, to have only war in our hearts and minds; war against our brethren. Till our churches are purified from this abominable service, I shall consider them, not as the temples of the Almighty, but the synagogues of Satan. It is an act not more infamous respecting its political purposes, than blasphemous and profane as a pretended act of national devotion, when the people are called upon in the most solemn and awful manner to repair to church, to partake of a sacrament, and at the foot of the altar to commit sacrilege, to perjure themselves publicly, by charging their American brethren with the horrid crime of rebellion; with propagating specious falsehoods, when either the charge must be notoriously false, or those who make it, not knowing it to be true, call Almighty God to witness, not a specious, but a most audacious and blasphemous falsehood."

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1777.  
6th Feb.  
Bill for  
suspending  
the habeas  
corpus.

Lord North.

10th Feb.  
Mr. Dunning.

exposed the prevailing negligence relative to those important arsenals\*.

The first business which occasioned any debate after the recess, was a bill brought in by the minister for enabling the King to "detain and secure persons charged with, or suspected of, high treason, committed in North America, or on the high seas, or of piracy." By this law, magistrates were empowered to commit such persons to any place appointed by the King, under his sign manual, and they were to be detained, and not brought to trial, or admitted to bail, without an order from the privy council. The progress of this bill was contested with a warmth and pertinacity proportioned to the magnitude of its objects and the importance of the habeas corpus, that inestimable privilege, which it was framed to suspend. Lord North, on the motion for introducing it, observed, that, during the war, many prisoners had been made, and many might be taken in actual commission of high treason; but perhaps, for want of evidence, could not be legally confined. It had been customary, on similar occasions of rebellion, or danger of invasion, to enable the King to seize suspicious individuals; but ministers, at present, did not demand a confidence so extensive; there was no domestic rebellion, nor any prospect of invasion; but, as the law stood, it was not possible, officially, to apprehend any suspected person. As prisoners made from the rebels, and in the act of piracy, could only be legally committed to the common gaols, which their numbers would render impracticable, it was necessary the Crown should have a power of confining them like other prisoners of war.

On the motion for a second reading, Mr. Dunning insinuated that crown lawyers might extend the operation of the bill to persons who never saw America, nor perhaps the high seas. The power it conferred was dictatorial. It would generate innumerable spies,

\* See Annual Register, 1777, page 245. And the trial at large of James Aitken, taken in short-hand by Joseph Gurney. A bill was, in the course of the session, brought into Parliament for protection of private dock-yards from similar attempts; it occasioned a long debate on the nature of crime and punishment (13th May), but was dropped. Also State Papers, 27th Feb. 1777.

informers, and false accusers ; and while it furnished means of gratification, emolument and safety, to the most profligate of the species, it would let loose with impunity the most horrid vices. Justice would be bound as well as blind ; and every revengeful minister or mercenary villain might satiate his revenge, or replenish his purse, at the expense of the best and most virtuous of men.

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Mr. Fox considered the bill as a sort of key or index to the design which ministers had been some years manifestly forming ; it was nothing less than robbing America of her franchises, as a previous step to the introduction of the same system of government in this country, and, in fine, of spreading arbitrary dominion over all the territories of the British crown. “ Who knows,” he said, “ but the ministers, in the fulness of their malice, may take into their heads that I have served on Long Island under General Washington ? What would it avail me, in such an event, to plead an *alibi* ; to assure my old friends that I was, during the whole campaign, in England ; that I was never in America, or on any sea but between Dover and Calais ; and that all my acts of piracy were committed on the mute creation ? All this may be very true, says a minister, or a minister’s understrapper ; you are for the present suspected, that is sufficient. I know you are fond of Scotland ; this is not the time for proofs ; you may be, and very probably are, innocent ; this bill cares not for that : I will send you, under the sign manual, to study the Erse language in the isle of Bute ; and as soon as the operation of the bill is spent, you will be at liberty to return, or go whither you please. You may then call on your accusers to prove their charge ; but they will laugh in your face, and tell you they never charged, they only suspected you ; and the act of Parliament will serve as a complete plea in bar ; it will answer a double end ; it will be at once your redress and our justification. Weakness, cruelty, suspicion, and credulity,” he observed, “ are almost always inseparable. Ministers were credulous in the

Mr. Fox.

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“extreme, because fearful; and they are fearful, from a consciousness of their crimes. The bill includes not only confinement, but the power of temporary banishment, even to the most remote, unhealthy, and pestiferous climate within the wide circuit of his Majesty’s dominions.”

Mr. Thurlow.

Mr. Thurlow treated as highly absurd and preposterous the supposition that the bill was intended to reach disaffected persons within this realm; though, if it did operate to that extent, he should hardly consider it as a fault\*.

10th Feb.  
Amended  
in the com-  
mittee.

As the supporters of the bill urged the propriety of correcting different clauses, several amendments were proposed in the committee. One, moved by Sir Grey Cooper, secretary to the treasury, rendered the place and extent of the crime subjecting persons to the operation of the act more definite and certain. Mr. Dempster also moved one for protection of the inhabitants of Great Britain; but it was rejected, as unnecessary†.

14th.

A petition was presented from the common-council of London, praying that the bill might at least not be extended to persons resident in Great Britain. A clause was introduced, excluding all minor acts of piracy‡; and, on the third reading, Mr. Dunning obtained one, restricting the operation of the act to persons who were actually absent from the realm, or on the high seas at the time of committing the offences. These alterations were not adopted without violent debates; the members of opposition, while they were anxious to obtain every qualifying explanation, strenuously resisted the whole principle of the bill; and the opinions of the crown lawyers were not in perfect harmony as to the constitutional question, or the precise value of the clauses given up or amended§.

17th.

24th.

In the House of Lords no opposition was made; a

\* The motion for committing the bill was carried, 195 to 43.

† 125 to 25.

‡ Such as trading and corresponding with pirates, furnishing them with stores, and several other transactions affected by sundry acts of Parliament.

§ The question on the third reading was carried by 112 to 35.

protest, in four articles, signed by the Earl of Abingdon only, was entered on the journals.

No other act of importance was passed in this session relative to America, except one for enabling the lords of the admiralty to grant letters of marque and reprisal against vessels of that country; it occasioned no remarkable debate in either house: an amendment proposed by Lord Marchmont for substituting the phrase, letters of permission, for letters of marque, was readily adopted, as it removed the appearance of placing the Americans on the footing of alien enemies.

Toward the close of the session, Lord Chatham, who had not before attended in his place, moved for an address, advising his Majesty to take speedy and effectual measures for putting a period to the unnatural war with America, and terminating such hostilities on the only just and solid foundation, the removal of accumulated grievances. At the request of Lord Camden, the House was summoned.

After some observations on the critical emergency of the times, Lord Chatham prognosticated that, unless an end was put to the war, there was an end to the country. The Americans were called rebels; he did not mean to make their panegyric; but there was a time when they raised four regiments on their own account, and took Louisbourg from the veteran troops of France; their excesses had been great, but were extenuated by the erroneous and infatuated counsels which had closed the door to mercy and justice. He decried the efforts used to subdue them: "You have sacked," he said, "every corner of Lower Saxony; but forty thousand German boors never can conquer ten times the number of British freemen: they may ravage; they cannot conquer. But what would you conquer? the map of America? What will you do out of the protection of your fleet? In the winter, if together, the troops are starving; and if dispersed, cut off in detail. I am experienced in spring hopes and vernal promises; I know the boastings of ministers; but at last will come your equinoctial disappoint-

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11th. Feb.  
Act for issuing  
letters of  
marque.

30th May.  
Lord Chat-  
ham's motion  
respecting  
America.



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1776.

6th of Nov.  
Debate on  
the procla-  
mation at  
New York.

matters to an early issue, and avoid bloodshed ; to use success and victory with prudence and moderation, rather as means of cementing lasting unity and amity, than as objects of triumph, instruments for forging the chains of slavery, or excuses for tyranny and oppression.

The amendment was negatived\*.

Lord John Cavendish again solicited the attention of the House, by producing a copy of the declaration issued by Lord Howe and his brother, on taking possession of New York, which had been recently published in the newspapers. The authenticity of the proclamation being avowed by the Chancellor of the Exchequer and Secretary of State for America, Lord John Cavendish, although astonished at the contents, and the extraordinary manner in which they were imparted to the public, congratulated the House on the gleam of peace and conciliation. Parliament had been treated with the most mortifying contempt ; commissioners were sent out with powers only to grant pardons and receive submissions ; yet, wonderful to relate, Parliament is informed, through the channel of a newspaper, that those commissioners are authorized to answer directly for the sovereign, and obliquely for the concurrence of the two other branches of the legislature in revising all acts by which the Americans are aggrieved. Parliament were reduced to cyphers in the whole conduct of the business ; they were called upon to sanction acts which would render them abhorred by their fellow subjects in every part of the empire ; but when an appearance of lenity is shewn, all the merit was attributed to the King and his ministers. Yet, if the proposals were sincere, he would not, by objections founded on mere punctilios, deprive the negotiation of its due weight and efficacy : Parliament ought, as the first proof of a pacific disposition, to co-operate in so desirable a work. He intended, therefore, to move that “ the House should resolve itself into a “ committee, to consider of the revisal of all acts of

“Parliament by which his Majesty’s subjects in America thought themselves aggrieved.” This motion, if acceded to, would remove the strong impression existing in the minds of the Americans, that under every ministerial promise lurked treachery, deceit, imposition, or an insidious intention to divide, in order the more easily to break their strength and subdue them.

Mr. Burke seconded the proposition, and, in the debate, spoke with enthusiasm of the *exalted heroism* of an old woman, found in a cellar at New York, besmeared and smutted all over, marked with rage, despair, and resolution, who had buried herself in combustibles to fire the city and perish in its ashes. He called this conflagration an interposition of Providence, to arrest the progress of British arms in the moment of success.

Although two Gazettes had been published, it was said the ministers had not in either allotted a place to the most important paper which had appeared during the contest. Parliament was trifled with by the concealment of such a dispatch, and the King was either made to guide their proceedings, or give insincere promises. The proclamation was, in fact, a mere mockery; the departure of the commissioners having been purposely delayed till the declaration of independence frustrated their pacific proposals. The only terms really intended were, “Lay down your arms, and then we will do just as we please:” the most cruel conqueror, Mr. Burke observed, could not say less; and if a conquest had been gained over the devil himself in hell, a smaller portion of liberality could not have been shewn.

The ministry, declining to investigate critically, literally, or philologically, the passage in the declaration which gave rise to the present motion, defended themselves on each of the points urged by opposition. The proclamation was not, as had been supposed, received with the dispatch from General Howe; but was left at Falmouth with papers of inferior importance, and, being transmitted to the metropolis in the

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6th of Nov.  
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\* 242 to 87.

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mind of their predictions respecting the conduct of France; and their repeated assertions that America had never thought of independence. Experience had verified the language of administration on both points. Lord Chatham had derided the absurdity of such ideas as interference on the part of France, and the Congress declaring the united colonies independent states. Other noble lords, on the same side, denied the least probability of such an event, and pledged themselves, if it should ever happen, that they would be the first and most zealous in endeavouring to compel them to return to their duty. "The event has actually taken place, and what is their conduct? Instead of recommending vigorous measures; instead of supporting strenuous and decisive exertions of our whole strength, we are told that France does not mean to interfere; but lest she should, it is now proposed to offer a treaty with declared and open rebels. Our rights are to be abandoned or conceded, lest France should go to war when our strength and resources are weakened and exhausted. This language is base, pusillanimous, and not worthy of attention."

The motion was negatived\*.

In a debate respecting the seizure of a British vessel on the Mosquito shore, by Spanish guarda-costas, and on several other occasions, the inveterate hostility of our natural enemies, France and Spain, the probability, or even certainty, of an attack from them, separately or conjointly, and the prostrate and inefficient state of our navy, had been asserted and enforced with all the vigour, wit, and eloquence of the opposition members. Mr. Temple Luttrell, who had always been conspicuous in these declamations, at length moved for leave to bring in a bill for the more easy and effectual manning of the navy. His speech was altogether a pathetic description of the miseries attending the system of impressment, its inefficiency in manning fleets, and a panegyric on the French mode of registration; and he produced written testimonials from

Rejected.

Feb. 25.  
Debates on  
the navy.

Mar. 11.  
Mr. Temple  
Luttrell's  
motion for  
manning the  
navy.

eminent merchants and other persons, both of public and private character, in support of his opinions; but he did not disclose what were the proposed regulations to be introduced by his bill. Several members spoke in confirmation and denial of the supposed facts, and his reasonings and deductions were vindicated and repelled. Lord Mulgrave argued that institutions which had been proved useful, by long, invariable practice, should not be lightly changed upon the suggestion of evils which either did not exist, or bore a very small proportion to the advantages arising from the measures which produced them. Pressing had always been practised by this country in times of war, or appearance of war; and the flourishing state of our commerce and the superiority which our navy had always maintained were the best proofs of the advantages of that mode of manning. More than twenty different statutes, from the Register Act in 1696, had been passed, for the encouragement of seamen and manning the navy; and the fate of that act, which, after a trial of fifteen years, and an expense exceeding half a million, had been repealed, because it produced no good effects, but occasioned much charge, vexation, and trouble, proved how ineffectual such projects must be, when future advantage was put into the balance against the great present increase of wages to be obtained from the merchants. The motion was negatived\*.

The supplies and taxes did not pass the House of Commons without strenuous and animated debates; all the members of opposition attended, and the bargains and conduct of the minister were vehemently arraigned. The sum to be raised for the service of the current year was 12,592,534*l.*, of which five millions and a half were to arise from a loan and a lottery. For the interest of the loan the new taxes proposed were, one of a guinea per annum on all male servants kept for other purposes than those of trade and manufactures; an additional stamp duty on deeds and simi-

Debates on  
taxes and  
supplies.

\* 106 to 52.

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lar writings; on glass, and on the sale of goods by auction. These imposts were all carried; but an attempt was made to limit the tax on servants to those whose ages exceeded sixteen years; and, on the increase of stamp duties, it was remarked, that a contest begun in an attempt to impose a burthen of that kind on America, had brought the same evil on ourselves.

The landgrave of Hesse, taking advantage of the necessities of Great Britain, had revived, with success, dormant and groundless claims for levy and hospital monies during the last war. The minister was reproached with improvidence and profusion in his contracts, particularly with having paid for putrid pork and damaged flour a higher price than the same articles were worth in their best state; and with having been so egregiously duped in a contract for rum, as to pay more than double its value.

9th April.  
King's message respecting  
the arrears of  
the civil-list.

While daily harassed by these objections, which even occasioned a desertion of some of his most constant supporters; when the nation was depressed and alarmed by intelligence of the disastrous events attending the close of the campaign; when he had not yet entirely recovered from a severe illness; Lord North was obliged to submit to the House a demand which he foresaw must introduce most unpleasant discussions. The increasing load of debt on the civil-list, greatly augmented by numerous American refugees, had long embarrassed the court; but the circumstances of the times had prevented an application to Parliament. The poverty of the Crown was now become so disgraceful, that the minister could no longer decline presenting a message, informing the House that the arrears, to the fifth of January, amounted to upward of six hundred thousand pounds, and appealing to their loyalty and affection to discharge this debt, and at the same time make further provision for supporting the dignity of the Crown.

Debates in the  
committee.  
16th April.  
Lord John  
Cavendish.

This message was referred to a committee of supply, who were furnished with explanatory papers. A long debate occurred, on a motion by Lord John Cavendish to discharge the order of reference. He objected to

the accounts as defective, and to the expenditure as excessive. The accounts, he said, came unaccompanied by any voucher, or collateral or explanatory observation that could give them an air of authenticity. The manner of fabricating them, and of stating the excess, helped to explain each other. The accounts merely announced the disbursements, without information to whom, or for what particular service; the excess was a necessary consequence of such a statement, and shewed that it arose, but not why it should be provided for. His lordship attempted to prove, by arithmetical estimates, that comparing sixteen years of the present with the same period of the late reign; or taking an average of the expenditure of both reigns, making every allowance for increase of family, and advanced price of necessaries, the fair expenditure of his Majesty ought to be less by some thousand pounds a year than that of his predecessor. The honour and dignity of the Crown formed a common pretext for such applications as the present, and would of course pervade the ministerial language: but if the minister really consulted the honour and dignity of the Crown, he would have applied to Parliament earlier, or even annually, as the debt was incurred. The House might then have devised some mode of retrenching unnecessary expenses; inquired into the expenditure of the revenue; and, on discovering abuses, would have rectified them, or totally removed the cause. Dangerous consequences must arise from the augmentation of the civil-list, and the consequent influence of the Crown, already become much too powerful.

Similar arguments and statements were advanced by other members of opposition, with such variations as marked the temper, character, or genius of each. Mr. Wilkes said, the nation cheerfully gave eight hundred thousand pounds for *the trappings of royalty*; the proposed augmentation was a violation of public faith; and it was cruel to fleece the people, when involved in a most expensive, as well as unnatural and ruinous civil war, and burthened with an enormous national debt. He reviewed the expenses of all the kings since

Mr. Wilkes.



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the revolution, extolling their magnificence, compared with the want of splendour in the court of George III. He alluded to his own sufferings, by mentioning an article in the account of secret services, paid in 1763 to Samuel Martin, Esq. and said he was himself plundered in one year of a thousand pounds in two fines. He descanted with asperity on the literary pensions bestowed on two jacobite doctors, Shebbeare and Johnson; on Hume for attacking, and on Beattie for defending, the Christian faith. Thus was the public treasure lavished. He spoke with acrimonious harshness of the disagreements in the royal family, contrasting the kindness of Louis XVI to Monsieur and the Comte d'Artois, with the conduct of the King toward the Dukes of Gloucester and Cumberland: and, deriding the notion of consulting the dignity of the diadem and greatness of the sovereign, said, it reminded him of the observation of Philip IV of Spain, when Louis XIV was taking from the Emperor all the towns in the Netherlands, "*Sa grandeur est comme celle des fossés, qui deviennent grands, a proportion des terres qu'on leur ote.*"

Mr. Burke.

Mr. Burke asserted that nothing but a confidence in the servility of the House, and a knowledge of their carelessness, could make the ministry advance the desperate assertion that sufficient provision had not been made for the splendour of the Crown. He objected to the argument drawn from the experience of the whole reign, that eight hundred thousand pounds was not sufficient for the civil-list expenses; because, if admitted, the propriety of every person's practice would be judged by the practice itself; a man's extravagance would become the measure of supply, and because he had actually dissipated a large revenue, he ought to be furnished with a larger revenue to dissipate. This would establish a principle of public profusion; would even make it the interest of ministers to be prodigal, since their extravagance, instead of lessening, would be the certain means of increasing their estate.

Mr. Fox.

Mr. Fox decried the accounts as a mere detail of

arbitrary sums, perhaps arbitrarily set down. Such an account, even if truly stated, was of no use, unless to add mockery to contempt, and blend insult with derision.

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The members of opposition did not all agree in Lord John Cavendish's motion: Mr. Wilkes proposed, and the opinion was sanctioned by others, that the House should go into a committee, with instructions to consider of the causes of the debts due on account of the civil-list, and likewise what further provision might be necessary to support the splendour and dignity of the Crown.

In proposing an aid to the Crown, the minister declared himself aware that he should be less engaged in reasoning than in diminishing the force of arguments and assertions calculated to deprive him of popularity, which was to be proportionately gained by his opponents. He confessed the task disagreeable, taking it in the most favourable light; and when he last came on a similar errand, he little thought it would have fallen to his lot again; for several of his predecessors, much his superiors in ability, had continued but a very short time in administration: but at length, said his lordship, such is the stability of government, that an administration can even outlive eight years! During the last four years, he said, the expenditure had undergone a considerable decrease, to the amount of nearly a hundred thousand pounds per annum. In the last year it had increased, on account of numerous American refugees, driven from their country or property for their loyalty and attachment to the Crown and Parliament of Great Britain, and left destitute of resource, or even of sustenance: they had augmented the civil-list expenses, he believed, to the amount of twenty-seven thousand pounds. The influence of the Crown was not enlarged since the King's accession; but government had been strengthened by the wisdom and rectitude of his Majesty's councils, and the esteem and confidence of his subjects. The obligations were mutual, and justly merited; and if such an influence really existed, it would not be employed in

Lord North.

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1777.

Mr. Adam.

abridging the liberties of the subjects, or in acts of oppression, but in securing and augmenting the prosperity, virtues, and happiness of the people.

Mr. Adam, in a speech of considerable ability, shewed the meanness, ignominy, and disgrace to which Charles II had been obliged to descend; from all which he might have been rescued, if Parliament would have relaxed their too rigid system of parsimony. The accounts were stated to be as perfect as could be furnished, and to afford every light necessary for judging of the subject: in former reigns, similar requests had been granted without a requisition of accounts.

Supply  
granted.

The motion of Lord John Cavendish was rejected\*, and the committee resolved to grant the required sum for discharging arrears, and to add to the civil-list one hundred thousand pounds per annum.

18th of April.

On bringing up the report of the committee, the debate was resumed with great animation; but no novelty in argument occurred, nor any remarkable circumstance, except that the House was thrown into a temporary confusion by the ribaldry of Alderman Sawbridge, who said, the deficiency might be accounted for, without having recourse to the increased price of the necessaries of life. The civil-list had been employed in corrupting both Houses; it had been spent in private as well as public pensions; in single bribes and temporary gratuities. The civil-list had been drained by as many different means as want suggested, or corruption was capable of devising. Although called to order, he refused to retract or qualify his expressions; but added, that some of the very debt which the minister applied to Parliament to discharge, was squandered in hiring spies and informers to ruin and distress innocent men; men in every light as loyal to the King and as faithful to their country as their persecutors would persuade the world they themselves were. Mr. Burke interposed, and, by a happy mixture of argument and irony, brought the House to

a degree of forbearance which induced them to hear these absurdities unmoved\*.

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The House directed the amount of arrears to be paid out of the sinking fund, and a bill was passed comprising all these objects.

1777.  
21st of April.

The King's message was discussed with no less warmth in the House of Lords. The topics which had been resorted to in the House of Commons; the splendour of former monarchs with a less supply; the want of economy in the royal establishment; the use made of the revenue to extend the influence of the Crown, by bribery and corruption, were all displayed in vehement phrases. Lord Talbot described the pains he had taken to reduce the expense of the domestic department. His efforts had been thwarted by some who had voices loud enough to make themselves heard. To shew the difficulty of reforming the menial servants of the household, when the profits were enjoyed by persons of a certain rank, and the services performed by others, he stated that one of the turnspits in the King's kitchen was a member of the House of Commons, and that his duties were performed by a poor man for five pounds a year. A reform effected by himself, by which board-wages were suppressed and servants obliged to attend to their duties, enabled them to claim the allowance of tables. There were no less than seventy-three kept, of which eleven were for nurses. He described the great unhappiness felt by his Majesty when he reflected on the difficulties to which his tradesmen were reduced by the delays in settling their accounts. As to influence, he thought that whatever tended to make the sovereign easy in his domestic situation, and independent of his ministers, constituted so much power to be used for the benefit of the people, and not against them. And Lord Melbourne, although he did not support the grant, observed that the influence of the Crown was not the only influence which tended to bring the nation to slavery, destruction, and ruin. The whole mass of the

Debate and  
protest in  
the lords.

\* There was a division on the second resolution; the numbers 231 to 109.

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1777.

7th of May  
Speech of  
Sir Fletcher  
Norton, on  
presenting  
the bill to  
the King.

people were corrupted or corruptible. The nation was composed of buyers and sellers. Every man wished to purchase or dispose; and when he purchased, it was always with the intention to dispose. The Marquis of Rockingham recommended an amendment to the address; which, being rejected, was entered on the journals as a protest, and signed by fourteen peers\*.

On presenting the bill for assent, the Speaker observed to the King, that in a time of public distress, full of difficulty and danger, their constituents labouring under burthens almost too heavy to be borne, his faithful Commons postponed all other business, and, with as much dispatch as the nature of their proceedings would admit, had not only granted a large present supply, but also a great additional revenue; great beyond example; great beyond his Majesty's highest expense†. "But all this, Sire, they have done in a well-grounded confidence, that you will apply wisely what they have granted liberally; and feeling, what every good subject must feel with the greatest satisfaction, that, under the direction of your Majesty's wisdom, the affluence and grandeur of the sovereign will reflect dignity and honour on his people."

He is  
thanked by  
the House.  
Debate on  
the subject.  
18th April.

For this speech the Speaker received the thanks of the House of Commons, and was desired to print it.

In the course of the late debates, many allusions had been made to the affairs of the King's brothers, and an amendment was suggested by Sir James Lowther, by which part of the sum granted in augmentation of the civil-list would be applied to their use; this proposal was over-ruled as irregular, but, after the act was passed, he again brought it forward. The debate was not interesting, as the motion was opposed chiefly on the ground of its being indelicate to interfere in the transactions of the royal family, and it was

9th May.

\* There were three divisions; one on the Marquis of Rockingham's amendment, against which the numbers were 96 to 20; a second on a motion for the previous question by the Duke of Grafton, 98 to 28; the third on the address, 90 to 20.

† Several members, who took notes of this speech, wrote *wants* instead of *expense*.

disposed of by the previous question\*; but, in the course of debate, Mr. Rigby alluded with indignation to the observations of the Speaker, who, he said, had grossly misrepresented the situation of the country, in a place and in a presence where nothing but truth should be heard. The sentiments attributed to the Commons were totally foreign from their thoughts; and he trusted that, before the House rose, it would be proved whether they coincided with the chair or with him, who utterly disclaimed the observations delivered by the Speaker in their name.

Sir Fletcher Norton appealed to the House; the speech and vote of thanks were read, and Mr. Fox moved that "the Speaker did express, with just and proper energy, the zeal of the House for the support of the honour and dignity of the Crown in circumstances of great public charge." In introducing the motion, he observed, that if it were negatived, the Speaker could not retain the chair with reputation to himself, or be further serviceable in his station, after being publicly deserted, bullied, and disgraced. Sir Fletcher Norton himself adopted this opinion, assuring the House that he meant to deliver nothing but their sentiments, in which he thought himself justified by the time, the occasion, and the various concurrent circumstances which combined to stamp his observations with peculiar propriety. Conceiving, therefore, that he discharged his duty, and that the House had subsequently sanctioned his conduct by their approbation, he could not, if the present motion was rejected, remain in a situation where he could be no longer serviceable.

Although the Attorney-General supported Mr. Rigby's opinion, the prosecution of the question, in the direction it must necessarily take, was not desirable to the friends of administration; a considerable portion of discussion was employed on the supposed assertion that the supply exceeded the King's *wants*, a phrase which the Speaker disclaimed. Mr. Rigby, in the course of debate, spoke in more moderate terms, claim-

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The Speaker's  
conduct more  
decisively ap-  
proved.

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6th June.  
Close of the  
session.

King's  
speech.

State of the  
public mind.

ing a right to utter his own sentiments freely, but denying any intention to make personal reflections on the chair. He attempted a compromise by means of an adjournment; but this he afterward withdrew. Mr. Fox's motion was carried, and followed by one from Serjeant Adair, renewing the thanks of the House to their chief officer.

In presenting the bills to the King, at the close of the session, the Speaker again addressed his Majesty, stating the hope of the House, that speedy means would be found to stop the ravages of war, which would otherwise be attended with consequences ruinous to the prosperity, perhaps dangerous to the safety, of the country.

The King expressed his approbation of the conduct of Parliament, and thanked them for the unquestionable proofs of their continued attachment to his person and government, their clear discernment of the true interests of the country, and steady perseverance in maintaining the rights of the legislature. He trusted in Divine Providence, that, by a well-concerted and vigorous exertion of the great force put into his hands, the operations of the campaign would be blessed with such success as might most effectually tend to the suppression of rebellion, and re-establishment of the constitutional obedience which all the subjects of a free state owe to the authority of law.

No effort to engage the attention of the public, or procure an indication of popular sentiment, on the subjects which engaged the attention of the legislature, merits particular attention: all eyes seemed fixed on the centre to which the great exertions of government were directed, with an anxiety proportioned to the magnitude of the contest; the nation surveyed the employment of those preparations which the ministry had demanded, and the Parliament had granted, with the cheerfulness of well-founded hope, and with a confidence of ultimate success. Their apparent satisfaction was frequently alluded to by speakers of the opposition party, and ascribed to delusions practised by ministers.

In the course of the session, predictions that foreign powers would soon interfere in support of the Americans were repeated with increased confidence, on grounds derived, not from theory or general supposition alone, but from avowed facts, and probably from private communications, which the nature of the dispute and the connexions of individuals rendered easy and inevitable. Politicians in England had treated it as an infatuation approaching to crime, in ministers, to suppose that the House of Bourbon, however quiescent and indifferent it might appear, would not avail itself of our dissensions to the greatest possible extent\*; and it was an acknowledged motive for urging the declaration of independency, that, without it, France, the real enemy of Great Britain, would not give effectual assistance to the Americans†. With the forebodings of opposition were mingled assertions that the naval force of the House of Bourbon was in a formidable state, both as to number and equipment, while ours was shamefully and disgracefully neglected. To these accusations a satisfactory answer had been given; but the arguments in support of hostile intention could not so easily be encountered.

In France, as in other countries, the prevailing feeling in favour of the Americans was strengthened by the opinion, that a struggle against a government which was represented as tyrannical, augured well to a resistance of their own, which were really so‡. The councils of France were divided between two parties§, termed Austrian and anti-Austrian, each powerfully supported, and avowing principles diametrically opposite. They had their origin at a period long anterior to the present day; but their principles entirely governed all political proceedings. The King felt the necessity of maintaining peace as the only means of repairing the disordered finances, giving time for the operation of

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State and  
views of  
foreign  
powers.

France.

\* Anecdotes of Dr. Watson, Bishop of Llandaff, vol. i. p. 94 Letter to the Marquis of Rockingham.

† Memoirs of General Greene, vol. i. p. 42.

‡ Franklin's Memoirs, vol. i. p. 18.

§ For an account of these parties, their origin, members, proceedings, and intrigues, see Coxe's History of the House of Austria, vol. iii. c. 41.



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prudential plans, and affording scope for the industry and augmented commerce of his country. The Queen avowed opinions directly contrary. Whether her youthful understanding was misled by pompous declamations or specious theories, or whether her imagination was deluded by notions of ambition and glory, she was regarded as the leader of a party favourable to the Americans, and anxious for a war with England. The King's system was supported by M. de Maurepas, who, without having the title, at the age of fourscore united in himself the places and powers of prime minister. He felt a proper apprehension of war, and, seeing rightly the effect of American success on the affairs of Europe, did not desire that their efforts should triumph; but, at the same time, that England should not prevail too easily; that she should be humbled, straightened, and impoverished, was, in his view, much to be desired. The Queen was anxious to regain an official situation for M. de Choiseul, whose views exactly corresponded with her own; her exertions in his behalf were incessant and indefatigable, and her influence was daily increasing. M. de Maurepas retained his predominance; he was supported by Monsieur, and acquired a lofty character by renouncing official emoluments; but the harsh treatment he received from the Queen rendered his situation extremely painful, and made his resignation probable. M. De Vergennes, the minister for foreign affairs, was animated by a cordial hatred of England, and inflamed with indignation at the terms of the last peace, which he considered injurious and ignominious to his country\*. But he was of a character so insincere, that his words never disclosed his mind, and his asseverations were calculated only to deceive†.

\* These opinions were not expressed sparingly, or on a single occasion, and they were shared by the Duc d'Anguillon. Dispatches from Colonel Blaquiere to Lord Rochford, 3rd Nov. 1771. From Mr. T. Grenville to Mr. Fox, 10th May, 20th June, 1782, and several others. Surely these opinions, so long retained and so earnestly expressed, are a full answer to the misstatements of the day, to the declamation of Chatham, the scurrillity of Wilkes, the censures of the city, and the clamour of the crowd.

† On the State of the French Court and Ministry. See *Œuvres de Frederic II.* tome. iv. p. 145.

The conduct of the French government was in conformity with these views and characters. Allured by the immediate profits of an illicit trade, the merchants in their various ports opened a traffic with the rebels, and, by every contrivance of contraband ingenuity, furnished them with gunpowder, muskets, and cannon, receiving in exchange such commodities, principally tobacco, as America could supply. To remonstrances on this point, M. de Vergennes varied in his answers according to the aspect of affairs. At first, when the disturbances might be considered as a mere explosion of temporary discontent, while the leaders of Congress were untried, their firmness unascertained, and their ultimate views undefined, the French ministers were cordial, and even flattering, in their assurances and expressions. Our prohibition to introduce illicit goods into the colonies, with orders to seize vessels so employed, was received by M. de Vergennes with perfect acquiescence; all obstructions of the legal commerce of France with her colonies, or of those colonies with each other, were deprecated; but the most pacific dispositions were professed, and every assurance given that there was no desire to gain advantage from our difficulties; for what was occurring to us presented a most pernicious example. Yet, notwithstanding these professions, large shipments of arms and gunpowder were made from French ports to Saint Domingo, which were forwarded to America and exchanged for tobacco, which was returned to France. This traffic was, at first, utterly denied by the French ministers; but when facts became too glaring to be so treated, it was imputed entirely to contraband traders, who could not always be detected or controlled. All that language could convey promised a continuance of peace. The Count de Guines, the French ambassador in London, was empowered most fully to express such sentiments; and, in an audience which he granted to Lord Stormont, Louis not only avowed his assent, but declared that every feeling of friendship entertained by King George was cordially returned; and he would use all exertions to maintain

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October 3.

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the harmony which subsisted between the two nations: he desired nothing so much as peace and friendship with England, and the maintenance of the general tranquillity. De Vergennes repeated, on his part, the same opinions: the consequences of the transactions in America, he observed, were no less obvious than those of the entire cession of Canada. Should the Americans attain independence, the point at which they so visibly aimed, they would instantly apply to the formation of a powerful navy, and, with their advantages for ship-building, would soon have fleets capable of over-matching those of all Europe. They could then, at pleasure, seize the West-India islands both of England and France. In process of time, they would subdue or allure the inhabitants of the Southern continent, and, in the end, not leave a foot of that hemisphere in possession of any European power. These consequences were not the less certain for being remote. "Short-sighted, narrow policy," he said, "may indeed rejoice in every distress of a rival, without extending its views beyond the present hour; but he who looks forward, and thinks of, and weighs consequences, must consider what now happens to you as a general evil, of which every nation that has settlements must have a share." M. de Maurepas expressed a perfect conformity of opinion, adding his congratulations on the important fact that the British nation felt with the ministry.

Observations so wise and just might have been supposed to proceed from sincere conviction, and to be the guarantees of corresponding conduct; but, as disputes were still prevailing between the two countries, especially one relating to the Newfoundland fishery, Lord Stormont did not place entire reliance on them.

December 6.

"Although I repeat, as is my duty," he said, "the assurances I receive, yet I am not of such easy credulity as to believe that the French ministers do not connive at succours being sent to America. Vigilance could not prevent it entirely; but I am persuaded no vigilance does or ever will exist." He thought that the present ministry wished us, in the end, success very

dearly purchased ; but should De Choiseul come into power, he would take a decided part, and send a large force into North America : he had made declarations to that effect, and spoke with contempt of the present ministry for letting slip the golden opportunity. Should Congress offer Canada, it would be a temptation too hard for the good faith of any French ministry to resist, especially if it were accompanied with a prospect of immediate success.

As a general result, it appeared, at the close of 1775, that the pacific disposition of France rested entirely on the permanency of the present ministry, and that upon the life of M. de Maurepas.

When the American cause gained the appearance of stability, and the revolutionary leaders shewed unexpected firmness and resolution, their interests made rapid, though concealed progress. While the King remained firm in his pacific determinations, the Queen's eagerness on the contrary side produced no decisive effect ; but persons were found to inflame his youthful imagination. De Choiseul was gaining ground, and De Brienne, not less hostile to England, was expected to be placed at the head of the finances. The Queen had established such an ascendancy over the mind of her husband, that he referred all questions of state to her decision ; but with whatever favour the cause she espoused might be regarded, her own popularity was utterly annihilated. In this year, a course of scurrilous and infamous libels was commenced against her, and never intermitted during the remainder of her days.

Before the declaration of independency, Silas Deane, a delegate to Congress from Connecticut, had been residing in France, under an appointment from the committee of foreign correspondence, ostensibly as a mere merchant, but, in reality, as an agent for obtaining military supplies, and for sounding the disposition of the government, and discovering how far, openly or secretly, they would aid the American cause\*.

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March.  
Silas Deane's  
mission to  
France.

\* Jefferson's Memoirs, vol. i. p. 43.

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July.

Money ad-  
vanced by the  
French  
Government.

Soon after his arrival, he had a long conference with M. De Vergennes; and, for the sake of mystery, it was arranged that, in all matters not requiring personal intercourse, they should correspond through the medium of a third person, M. Girard. Deane required from the French minister supplies of arms and clothing for twenty-five thousand men, and two hundred brass field-pieces. The first was readily promised: with respect to the cannon some difficulty arose, on account of their being all stamped with the arms of France: but means were devised for overcoming it.

M. Caron de Beaumarchais\*, afterwards a celebrated person, but at the time obscure, was employed by Deane as an agent in this negotiation, and in the most difficult part of it, that of inducing the French Government to advance money to Congress. The success of this attempt shews how little the apparent penury of an arbitrary government is to be depended on as a surety for peace. Notwithstanding some obstructions raised by Maurepas, the King was induced to supply a million of livres as a voluntary gift (*don gratuit*), and to permit two or three millions more (for the exact amount is not ascertained), to be raised on the security of the public funds.

Deane's indefatigable exertions were not limited to France alone; he had emissaries and friends in Spain,

\* In a review of the French translation of these volumes, which was published in 1821, the critic expresses surprise that I should be so little acquainted with the French nation as to style this gentleman Baron. I too was surprised at the accusation; I had known the productions of Beaumarchais from my infancy; the pamphlet which I was then adverting to, was under the name of Caron de Beaumarchais, at full length, but on examining the fourth edition of my work, I found the remark perfectly well founded. In the first three editions the name is printed correctly, and I can only account for the variation by supposing that, after the proof sheet of the last edition had passed through my hands, some person at the printing office, supposing I had been guilty of an inadvertency, made the correction, *sur periculo*. I may add, that M. Caron de Beaumarchais displayed, in this transaction, some of the selfishness and cunning which afterward he rendered so amusing in the character of Figaro. From a state of obscurity and poverty, he suddenly emerged into ostentatious opulence: the change was ascribed to his great success in commercial speculations with America; but, in fact, the *don gratuit* never reached the hands of Congress, although it was paid into his; and a fund of 40,000*l.*, acquired without labour or risque, is a very good foundation for a mercantile establishment.—See Dictionnaire Historique Universelle, Art. Beaumarchais.—Letter from Lord Stormont to Lord Weymouth, 25th Sept. 1776.—Jefferson's Memoirs, vol. iii. p. 245, et seqq.—Sparks's Life of Gouverneur Morris, vol. ii. p. 324.

Prussia, and other countries; it was even said that he had a correspondence with some conspicuous persons, and was endeavouring to negotiate a loan in England. Liberal encouragements, more than could afterward be realized, were held out to disbanded officers of foreign nations, if they would enter the American service. To allure the French government and stimulate the people, communications were adroitly made of letters from Dr. Franklin to a private correspondent, declaring that so soon as the independence of America should be secured, their first object would be to open with France a commercial intercourse, highly beneficial to both. In process of time, after many subordinate intrigues, Mr. Deane applied to Maurepas and De Vergennes to be received at the French court as resident from the independent states of America; but the time was not yet arrived when France would take a step which must be considered as a declaration of war. The affairs of America seemed to be at the lowest ebb, and the agent received for answer, that, in the present moment, it was impossible: time and events would shew what could be done.

At this period, Congress issued a new commission to negotiate treaties of alliance and commerce, in which the names of Dr. Franklin and Dr. Arthur Lee were joined with that of Silas Deane\*. In the selection of Dr. Franklin, the Americans shewed great judgment and sagacity: more than any man among them, he possessed the temper, perseverance, and unscrupulous facility of assertion, so necessary to their cause; and, from his reputation in the world of literature and philosophy, he was pre-eminently qualified to dazzle a people easily captivated by a supposed prodigy. At the time of his mission, the affairs of his country were in a most desperate condition. Their armies, defeated in the field, in a state of discontent approaching to mutiny, were ready to disband when the term of their service should have expired; the aid which France

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Oct. 10.

Sept.  
Dr. Franklin  
sent to  
France.

\* Jefferson's Memoirs, vol. i. p. 45. The appointment, it appears, was offered to this gentleman, but declined for reasons of health and family.

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clandestinely and dishonourably supplied, even if it had been faithfully remitted, was inadequate to their wants; and their country was in a state of extreme suffering from the loss of intercourse with Great Britain.

This privation must have been felt in a very considerable degree, when the Americans were obliged to advertise rewards to those who could produce samples of the most ordinary manufactures, such as pins and needles, equal to those from England; and still more, when, in Virginia, the privation of salt, rum, and sugar, enhanced those commodities to an exorbitant price\*.

Dec. 15.

When Dr. Franklin arrived in Paris, he found that his precursor had laid the foundation of a possible treaty; but, aware that the consummation of it must depend on success in the field and prosperity in the country, he boastfully and untruly represented the condition of the rebels as most flourishing, that of the English as utterly desperate. Twenty successful campaigns, he said, would not suffice for the conquest of America; she must be independent and great; she would remain the natural and firm ally of France, who would have her entire and exclusive commerce. But his vaunts were discredited, and his proffers depreciated, by the news which, up to the end of the year, were received of the progress of the British arms: he vainly endeavoured to gain a reception at the court of Versailles as an acknowledged minister. It was even surmised that fears for his personal safety, rather than a hope of success, had prompted his voyage; a report which gained some appearance of truth, from his being accompanied by his two grandsons†. Fashion, all-powerful in France, exerted for a time her full sway, and Dr. Franklin enjoyed such celebrity as novelty and singularity can confer. From the first, De Vergennes

\* Feb. 1776.—Lord Dunmore to Lord George Germaine:—"Salt is raised from one shilling to fifteen shillings per bushel; rum from two shillings and sixpence to twelve or fourteen shillings per gallon, and muscovado sugar from five or six pence to four or five shillings per pound. Without salt, they cannot preserve their cattle in the higher, nor cure their meat in the lower, grounds."

† Memoirs of Dr. Franklin, vol. i. p. 307.

promised him perfect safety, and all the civilities which the French were in the habit of shewing to foreigners\*. Being admitted at court, although not recognized in any public character, he went in the dress of an American farmer; his hair uncurled and unpowdered; with a plain round hat and a russet brown coat. Such an appearance, amidst a circle of courtiers, splendidly equipped in lace and embroidery, with heads dressed and powdered to the very height of the art as then in practice, and perfumed with the most exquisite essences, formed a striking contrast; its novelty gave it vogue; fashionable entertainments were made for the apostle of liberty, at one of which a crown of laurel was placed on his head, and a kiss impressed on each of his cheeks, by a lady, selected from among three hundred for this display†. But when novelty had ceased to attract, he was viewed as a mere appendage to the Choiseul party; and, although his indefatigable diligence was never intermitted, he was not long regarded with public admiration, nor flattered with his position.

All the resources of hope and all the arts of fiction must have been united to enable Dr. Franklin to present a tolerably favourable view of his country. He had abundant means of knowing the state of the army, from his recent observation as a commissioner from Congress. It was with difficulty kept together; the ranks were thinned by a camp-fever, and the temper of the soldiers soured by privations, toils, and difficulties. The country was rapidly inclining to an accommodation; the friends of Britain began to enjoy a little freedom of speech; and it was expected that the retreat of Congress to Baltimore would be immediately followed by the capture of Philadelphia. All these hopes were frustrated by the surprize at Trenton; an event which, however insignificant it might have been deemed in a regular war, was in this of the highest importance. It gave spirit to the Americans, recruited

\* Franklin's Memoirs, vol. i. p. 312.

† Mémoires sur la vie privée de Marie Antoinette, par Madame Campan, tome i, p. 220.



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their forces, enabled their leaders to display with exaggeration the magnitude of the exploit and its probable advantages, while Congress, instead of the shame of a hopeless retreat, were enabled to meet in Baltimore with an air of triumph\*.

In France, this turn of affairs could not perhaps produce a general confidence; but it served as an answer to those who were disposed to treat final success as desperate. The war party gained strength and energy, and Louis shewed signs of flexibility. His objections to a treaty with the Americans were no longer sustained by principle, but measured by convenience; and he exhibited rather the yielding temper of a weak and variable mind, than that firmness which persists in the pursuit of right to the last moment in which its objects appear to be attainable.

Necker  
minister of  
finance.

If the state of finance seemed to oppose an impediment to the interference of France in our contest, the power possessed by a government, if not arbitrary, at least not constitutionally restrained, of extracting from reluctant individuals the wealth they might be disinclined to contribute, was not to be overlooked. Necker, a banker, from Geneva, who had raised a great reputation for skill in finance, was appointed to a ministry in that department, to the great satisfaction of all parties. They who loved their country hoped much from his judgment and integrity; they who hated royalty, and such a party was already rearing its head, expected great results from his feelings as a republican; for the same cause, the partizans of America hailed his appointment; and a still more numerous and powerful portion of society, who despised the established church and the Christian religion altogether, rejoiced in the appointment of a protestant, for whose sake a division was made in an office from which

\* All writers are agreed in describing the condition of the American army at this period: the desponding state of the cause is strongly noticed in the *Life of General Greene*, vol. i. page 53, and with characteristic point by Gibbon; *Miscellaneous Works*, vol. ii. page 192, octavo. The latter part of the above paragraph is taken from a Letter in the State Paper Office, 22nd July, 1777, from Mr. Eddis, of Maryland, to Governor Eden.

all such persons had been hitherto excluded\*. As this minister owed his appointment to M. de Maurepas, some expected that he would lend his influence to the maintenance of peace, especially as he was known to have declared that a war must occasion a bankruptcy. But this word of alarming sound is really formidable only to nations who by a well-regulated commerce and unsullied honour have maintained an unbroken credit. Bankruptcy, where the person cannot be restrained or properly sequestered, is a word which can only affect the feeling of honour; and how lightly it was to be estimated in a political emergency, had already been avowed and demonstrated by Dr. Franklin himself. In 1775, Congress had sent forth paper money to the amount of three millions of dollars, under a promise of exchanging it for gold or silver in three years; in 1776, more than twenty-one additional millions were put in circulation. Uneasy at the evident impossibility of redeeming such extensive promises, they sent to consult their great master-spirit and directing adviser. "Do not," he said, "make yourselves unhappy; continue to issue your paper money as long as it will pay for the paper, ink, and printing; and we shall be enabled, by its means, to liquidate all the expenses of the war†." A plan so profligate as that of making engagements with a preformed determination not to observe them, varied in its mode of operations according to the nature of the government and habits of the people, would deprive the word bankruptcy of all its terrors.

Applications from the American missionaries to other European powers were no less earnest than to France; the success was various, their advances were never openly received, and, where co-operation in their

Conduct of  
other courts.

\* In his own peculiar manner, the King of Prussia mentions this appointment. "A contröller-general of the finances was regarded as an alchymist; they expected him to make gold, and if he did not make as much as was wanted, they turned him out. At length, Calvinist as he was, they made choice of M. Necker, hoping, perhaps, that a heretic, accursed at all events (*maudit pour maudit*), would make a compact with the devil, and so supply the sums necessary to the plans of government."—*Œuvres Posthumes*, tome iv. page 163.

† Franklin's *Memoirs*, vol. i. page 289. At the same time Franklin was alluring foreign nations to confidence, in a paper pretending to prove that American was far preferable to English security.—Vol. iii. p. 92.

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designs was promised, it was always under circumstances of mystery which marked a strong sense of its impropriety. Those who yielded to the allurements of commercial advantage, seemed to engage under an impression that they were mere national smugglers; some acknowledged the American commissioners as diplomatic characters; and it was obvious that the conduct of Spain would depend on the determination of France; while Holland and the northern powers, never forgetting commerce, would in other respects be regulated by the opinions of the King of Prussia. That monarch, impelled by his implacable hatred to England, urged the French court openly to espouse the American cause. Still he would not acknowledge their missionaries, nor would he permit his officers to engage in their service. Spain was equally pressing for an open declaration on the part of France, and tolerated, with undisguised indulgence, the commerce of her subjects with the colonies, both from Europe and the West Indies; and the reports of Arthur Lee, who was deputed to Madrid, led to the formation of sanguine hopes from the declaration of the King and of his ministers.

Choiseul, or  
war party.

Yet it was obvious that success in the field was wanting to give encouragement to those who wished less to favour America than to harass and distress England. The surprise at Trenton reanimated the war party. This junto was supposed to comprise the Queen, the Duc d'Orleans, the Comte d'Artois, the Duc de Chartres, and many other distinguished persons, and to be under the direction of a committee of seven members, French and foreign. They openly espoused Franklin, and had plans for attacking all the English possessions in India, for taking and ceding Gibraltar to Spain, receiving in exchange the portion of St. Domingo owned by that country; and, in aid of these and their other views, a compact was to be attempted with the Emperor\*, who intended speedily to visit France.

\* Lord Stormont to Lord Weymouth, 1st of January, 1777. Madame Campan (*ubi supra*) most explicitly asserts that the Queen was constantly opposed to

Any expectations of this kind were frustrated by the provident conduct of this potentate. He firmly refused, in spite of every solicitation, to receive or to have any intercourse with Franklin and Deane: he behaved equally to men of all parties, did not shew the desired preference to De Choiseul, but had long interviews with Maurepas, De Vergennes, the King, and the Queen; and as he avowed himself a sincere friend to peace, it may be supposed that he inculcated corresponding opinions. Under his travelling appellation of Count Falkenstein, he had a long and most satisfactory interview with the English ambassador. He made a morning visit, in which, laying aside all pretensions of rank, he proposed that they should talk familiarly as old friends who met after a long separation. He expressed great pleasure at the success of our arms in America, and declared that he had always been very earnest in his wishes for us. He believed the system of the French court to us really pacific; adding significantly, "Be assured, my Lord, that France has one ally who always inculcates moderation and peace\*." But whatever advice the Emperor might give, it had no perceptible effect: the underhand aids to the Americans continued to be supplied. Privateers, built for or purchased by them, and manned with French as well as with their seamen, made captures at sea, and even infested the coasts of Great Britain and Ireland, while they were received and their prizes readily sold in the European and transatlantic ports of France. Complaints of such transactions were always listened to with complaisance; redress was sometimes promised, and partially afforded; government positively, though falsely, disclaimed all sanction and participation in them; the spirit of commerce and the impossibility of suppressing all contraband trading were repeatedly referred to; counter-complaints were sometimes advanced, and, on one occasion, M. de Ver-

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1777.

May.  
Arrival and  
conduct of the  
Emperor.

American independence; but the reason for this assertion is evident, and avowed by this author when she connects the revolution in America with that in France.

\* Letters from Lord Stormont to Lord Weymouth, April 28th, May 30th, June 4th.

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1777.

Efforts of the  
Americans  
to obtain  
officers.

gennes good-humouredly apologized for the eagerness of his countrymen to trade with America, by saying that snuff was to them one of the necessities of life, which they would obtain at whatever price, or whatever risque.

It was observed by General Greene, one of the best commanders in the American service, that their troops, although equal to those of any nation, wanted the instruction and discipline which could only be derived from experienced officers; but for these they could not hope, while the existing system of permitting the privates and subalterns to elect their own officers was pursued\*. To induce reformed or unemployed officers to enter their army, the commissioners in Europe, among other things, promised them rank equal to that which they had held in the service of their own sovereigns; an engagement which could not have been fulfilled without disgusting, and probably superseding, every American who had drawn his sword in the cause. With the double view of augmenting the military strength of America, and of promoting hostility between England and France, Dr. Franklin proposed the formation and employment of a French corps, with officers of their own country. For this purpose, he introduced, by letter to Mr. Peters, the secretary at war, M. Garanger, a captain of bombardiers, with a plan for raising such a body. Some officers arrived with clothing for about one hundred and forty men, and, like many others who had preceded them, without money; but they were very ill received, and their services on such terms lowly estimated†.

Many other officers, impelled by love of the cause, or by personal ambition, sought the same service, but

M. De La  
Fayette.

\* Memoirs of General Greene, vol. i. p. 58.

† In a letter to Mr. Laurens in Congress, Mr. Rutledge of South Carolina mentions the coming of these persons, their poverty, the reluctance with which they had been supplied, and the expectation that M. de Bretigny, their leader, should reimburse the sums advanced. "We are so plagued," he says, "with sturdy beggars of chevaliers and French adventurers, commended or recommended by the Congress's commissioners at Paris, that I am out of all patience; and, if we are not to be reimbursed, they shall never have my vote for another sixpence." In Letters (intercepted) of 6th of March and 7th of November, 1777. State Papers.

did not come incumbered with the same wants. Among the most conspicuous of these, was the Marquis de la Fayette, the nephew of M. de Noailles, the French ambassador in London, with whom he had resided some time, and by whom he was introduced at court, and graciously received. From the society in which he was enabled to mix, and a familiar intercourse with some servants of government, he obtained a knowledge of the plans of operation for the ensuing campaign; he then suddenly withdrew to France, purchased a yacht at Bordeaux, and, under pretence of a voyage into Italy, sailed to America, and presented himself to Congress. Being at first considered merely as one of the adventurers of whom they had already rejected so many, he was coldly received; but when he stated that he required no pay, and wished to serve as a volunteer, all objections vanished, and he was appointed a Major-General, before he had attained the age of twenty\*. Considering the terms on which he had lived and been received in London, this may well be deemed an act of precocious treachery; but the Americans considered it a noble specimen of enthusiasm, and he claims at least the merit of disinterestedness, if a statement, which he afterward made was true, that, at the time when he embarked, the very ambassadors from America declared the cause hopeless†. His own government appeared to disapprove his conduct, affected great displeasure, and made an ostensible endeavour to prevent his departure; but no consequent measure was adopted, as would have been the case had the government been sincere. Yet a rigid inquiry into this matter was not necessary, nor would it have been prudent. The punishment or disgrace of an individual could not have been important in a national contest; and it was probable that personal considerations and family connexions would have protected a man of his rank and fortune, even if the Court really felt indignant at his proceedings. The public overlooked his treachery,

\* Sparks's Life of Washington, vol. i. p. 247.

† Letter of La Fayette to the National Assembly, 15th of June, 1792. *Moniteur*, p. 713.

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gloried in his spirit, and their heaviest censure on his conduct was to term it a splendid folly (*une brillante folie*).

Such was the position of affairs at the rising of Parliament. Much cause of offence was given by France, and her conduct was open to much suspicion; but remonstrances were never answered with defiance, redress was never refused, if never truly granted, and recriminations were generally urged in a tone which did not preclude accommodation.

On the whole, making every allowance for the intriguing disposition of France, for her jealousy of Great Britain, and her desire to humble so prosperous a rival, it might be conjectured that she would see her own interest in avoiding a war, which Great Britain would certainly not court. The government of France was far from settled: the disorders of the late reign required a long interval to repair their effects on the finances; the King's darling project of forming a respectable naval force would be delayed, if not frustrated, and all his benevolent projects of economy would be superseded. Penetrating politicians thought Louis had, by the recal of the ancient parliaments, purchased popularity at too high a rate; and it required still less discernment to perceive that the suppression of the Mousquetaires diminished not only the splendour, but the real strength of the throne.

A cordial attachment to the interests and welfare of Great Britain could not be expected from France; but the most sagacious observers were of opinion, that she was sincere in her desire to avoid a quarrel, although this disposition was attributed rather to want of union and enterprize among the principal people, than to any well-combined system of pacific politics\*. It was also the judgment of a profound observer, who was at this period in Paris, in the centre of information, with the

\* This was the observation of Prince Kaunitz, the imperial prime minister, to Sir Robert Murray Keith, the British Ambassador at Vienna; the important correspondence from which it is taken has also furnished many other facts and observations in the above sketch of foreign affairs, and much more has been derived from the documents in the State Paper Office, which have been continually resorted to, although the precise letters are not always specified.

best means of acquiring, and the greatest facility of communicating it, that there was no room for apprehending a war with France. "It is much more pleasant, as well as profitable for them," this elegant author observes, "to view in safety the raging of the tempest, occasionally to pick up some pieces of the wreck, and to improve their trade, their agriculture, and their finances, while the two countries are *lento collisa duello*. Far from taking any step to put a speedy end to this astonishing dispute, I should not be surprised if, next summer, they were to lend their cordial assistance to England, as to the weaker party\*."

\* Gibbon's Posthumous Works, vol. i. p. 526.



## CHAPTER THE THIRTY-FIRST.

1776—1777.

Extensive powers granted to Washington.—American oath of allegiance.—Washington's proclamation.—State of his army.—Supplies from France.—Expeditions—to Peek's Kill—Danbury—and other places.—American expedition to Sagg's Harbour.—Movement of Washington.—Of the British army.—Howe makes a feigned retreat.—Action near Quibble Town.—Howe evacuates the Jerseys.—Capture of General Prescott.—The British army embarks for the Delaware.—Lands at the head of Elk.—Howe's proclamation.—Battle of Brandywine.—Surprise of General Wayne.—Capture of Philadelphia.—Strong defence of the Delaware.—Billingsport taken.—Action at German Town.—Attack on Red Bank.—Loss of the *Augusta* and *Merlin*.—The enemy's forts at length taken.—Washington encamps at White Marsh.—Huts his army at Valley Forge.—Sir William Howe fixes in winter quarters.—Campaign of the northern army.—Observations on the employment of savages.—Burgoyne arrives at Crown Point.—War feast.—Speech and proclamation.—Crown Point and Tinconderoga taken.—Pursuit of the enemy.—Delays and difficulties of Burgoyne's army.—Proclamation by Burgoyne and Schuyler.—Siege of Stanwix—raised.—Expedition to Bennington.—Defeat of Colonel Baum and Breymann.—Gates commands the Americans.—Burgoyne advances to Saratoga.—Battle of Stillwater.—The Americans destroy the transports.—Increasing difficulties of Burgoyne.—His lines attacked—he falls back to Saratoga—and surrenders by convention.—Proceedings of Sir Henry Clinton.—Takes forts Clinton and Montgomery.—The Americans burn their fleet.—Burning of Esopus.—Examination of Sir Henry Clinton's conduct with respect to a co-operation with Burgoyne.

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1776.

Extensive  
powers  
granted to  
Washington.  
20th Dec.

AMONG all the difficulties encountered by General Washington, none seems to have embarrassed him more than the restricted state of his authority. Congress, vigilant and jealous, as well from the peculiarities of their situation, as from the habits of the members, were averse to grant such powers as would enable their general to act with promptitude, vigour, and effect. Toward the close of 1776, when the affairs of the states were verging to their most dangerous crisis, he urgently demanded authority to act without their immediate instructions, as the only means of avoiding ruin. In making this demand, he found it necessary to conciliate esteem, and soften prejudice, by vindicating his own personal character, and explaining his conduct and views. "I can with truth declare," he observed, "that I have no lust after power, but wish, with as much fervency as any man upon this wide extended continent, for an opportunity of turning the sword into a plough-share. But my feelings, as an officer and a man, have been such as to force me to say, that no person ever had a greater choice of difficulties to contend with than I have. It may be thought," he added, "that I go out of the line of my duty to advise thus freely: a character to lose; an estate to forfeit; the inestimable blessings of liberty at stake; and a life devoted; must be my excuse!" Congress, at length, when they had removed to Baltimore, invested him with powers more ample than in his most sanguine moments he had presumed to wish. They empowered him to raise and collect, in the most speedy and effectual manner, from any or all of the states, sixteen additional battalions of infantry, and to appoint officers; to raise, officer, and equip three thousand light horse, three regiments of artillery, and a corps of engineers, and to establish their pay; to apply to any of the states for such aid of the militia as he should judge necessary; to form magazines in such places as he should think proper; to displace and appoint all officers under the rank of brigadier-general; to fill up all vacancies in every military department; to take, without consent

27th Dec.

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1777.

He recom-  
mends an  
oath of al-  
legiance.  
5th Feb.

His pro-  
clamation.

of the proprietors, whatever he might want for the use of the army, allowing a reasonable price ; to arrest and confine persons refusing to take the continental currency, or otherwise disaffected to the cause ; and return to the states of which they were citizens, their names, and the nature of their offences, together with the witnesses to prove them : and these powers were vested in him for six months, unless sooner determined by Congress. This vote created that which is so generally fatal to a republic, a military dictatorship ; and had the powers been confided to an individual less gifted with patriotism, virtue, and self-denial, would most probably have produced the usual results\*.

As soon as success gave to General Washington the slightest hope of re-establishing the almost ruined cause of independence, he remonstrated with Congress on the inattention by which they had lost a considerable cement to their own force, and afforded to the British commissioners an opportunity of tendering the first oath of allegiance on behalf of the King. Many conscientious people did not consider the association equally obligatory ; but would have submitted to any penalty rather than take the oath of allegiance to the King, had they been previously bound in the same manner to Congress. By their authority he then issued a proclamation, requiring those who, intimidated by threats, or deluded by promises, had signed a declaration of fidelity, taken oaths of fealty, and engaged not to bear arms against the King, to deliver up their certificates, and take an oath of allegiance to the United States† ; but licence was given to such as preferred the interest and protection of Great Britain, to withdraw with their families within the British lines‡. On this proclamation, the inhabitants of the Jerseys renounced the royal cause ; several, in revenge, joined

\* Sparks's Life of Washington, vol. i. page 222. See also the opinions of Lord George Germaine and Colonel Barré on the subject. Parliamentary History, vol. xix. pages 268, 270.

† An oath had already been prescribed, 21st of October, 1776, for all persons holding commissions or offices under Congress, by which they renounced allegiance to the King, and swore fealty to the United States. Annual Register, 1777, p. 297.

‡ Ibid.

the American army; while others rendered equal service by supplying provisions and fuel, and conveying intelligence.

Still the American levies proceeded with discouraging tardiness; but Washington achieved all that art and activity could effect for the security and accommodation of a small force. He did not desert his tried maxim of preferring the spade and pick-axe to military weapons; and, in the course of the winter, extended his position from Morristown to Woodbridge, distant only three miles from the British quarters at Amboy, adding to the strength and comforts of his situation by erecting forts, mills, and magazines, and harassing and insulting the British by skirmishing with their outposts, and cutting off their supplies; all which was effected by a feeble and sickly army, not exceeding four thousand\*.

Sir William Howe† has undergone severe animadversions and imputations, for having quietly submitted to these indignities, while he commanded so fine and numerous a force, during the period of inaction. Mr. Tryon, the spirited, sensible, and patriotic Governor of New York, was assiduously employed in raising corps of loyal provincials, among whom he received the rank of Major-General. These troops were not, it is true, experienced or well disciplined; but they were, even in these respects, on a level with those raised for Washington, and the levies had the additional effect of creating alarm, and obliging Congress to have recourse to rigorous measures. The dread felt by that body, and the orders they issued respecting the royalists in Somerset, Worcester, Maryland, New England, and New York, were the foundation of many severe censures on General Howe; for, had he effected any capital stroke, or even harassed and alarmed the enemy by repeated assaults, while

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State of his  
army.

Corps of  
loyal pro-  
vincials  
raised.

\* Washington's Letters, vol. ii. p. 31, dated 20th of February, 1777.

† The knighthood of the Bath was conferred on this general the 13th of October, 1776; two other ribbands of the same order were meritoriously bestowed on General (Sir Guy) Carleton, 6th of July, 1776, and General (Sir Henry) Clinton, 20th of April, 1777.

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1777.

The Americans supplied with arms from France.

23rd March.  
Expeditions of the English.

To Peek's Kill.

25th April.  
Danbury.

26th April.

they were deficient in ammunition and recruits, the danger and inconvenience of the service would, in all probability, have prevented the accession of numbers, and caused a general defection of the adverse army; while the people in the provinces would have exerted themselves in giving preponderance to the British cause, as the means of restoring tranquillity, which, above all things, they desired. Early in the spring, the hopes of the Americans were re-animated by supplies of arms and gunpowder from France.

The manor of Courland, the most mountainous and inaccessible part of the tract occupied by General Washington, was converted into a kind of citadel, where large quantities of provisions, forage, and stores were deposited; and, about fifty miles from New York, up the North river, Peek's Kill served as a port to Courland manor, by which stores and provisions were received and conveyed to the army or to the interior. A detachment of five hundred men, under Colonel Bird, embarked in two transports at New York, to take possession of this place. On their approach, the Americans, upward of seven hundred, retreated with precipitation, burning the barracks and storehouses. This loss was incurred by neglecting Washington's injunction, not to accumulate stores in positions near to, or easily accessible from, the water.

Another expedition from New York, consisting of two thousand men, under the command of General Tryon, assisted by General Agnew and Sir William Erskine, was dispatched to seize or destroy stores collected at Danbury. They landed two hours before midnight, and reached their place of destination at day-break. The enemy, taken unawares, and unprepared for resistance, evacuated the town without opposition, and the British set fire to the stores, the conflagration of which was not completed till the ensuing morning\*. During this interval, the Americans had

\* The effects destroyed were 1,600 barrels of pork and beef, 600 barrels of flour, upwards of 2,000 barrels of wheat, rye, and Indian corn, a very considerable quantity of military cloathing, and 2,000 tents; a loss which, from their scarcity, was severely felt by the Americans. In their return, the troops destroyed about seventy barrels of flour, and 112 hogshheads of rum.

collected a force from various quarters, and, under the command of General Arnold, intrenched themselves at the town of Ridgefield, to oppose the British force in their retreat. Although this resistance was unexpected, the intrenchments were carried with great spirit; Arnold's horse was shot under him, and, while extricating himself, he was attacked with fixed bayonet by a soldier, whom he dispatched with a pistol. The English troops formed in an oblong square, and rested on their arms.

The enemy, considerably reinforced during the night, assailed them in the morning in every direction, from houses and walls, and took possession of a stone bridge, and the ground commanding a pass beyond it, where, with the advantage of some field artillery, they presented a formidable front. The English were enabled to avoid this pass, by fording the river three miles further up; but skirmishes were continued till they arrived within half a mile of the shipping. The detachment was almost exhausted with fatigue; three days and nights had passed without repose, and several, unable to prosecute their march, had dropped on the road, when the Americans were seen, in two distinct bodies, posted to oppose their embarkation. General Erskine, at the head of four hundred men, selected from this enfeebled troop, attacked and put to flight, with considerable slaughter, the opposing columns, whose panic prevented them from rallying and using their means of annoyance during the remaining march and embarkation.

28th April

This expedition resembles, in many particulars, the affair of Lexington: the success with which it was attended did not compensate for two hundred men and ten officers killed and wounded. The loss of the enemy was much more considerable; and General Wooster, a veteran, who, at the age of seventy, exerted himself with a degree of spirit and alacrity more consistent with the meridian of youth, was numbered among the slain.

Several other slight enterprizes took place, attended with different degrees of success, but of so

And other places.

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1777.  
12th and  
19th April,  
and 8th May.  
24th May.  
American  
expedition  
to Sagg's  
harbour.

Difficulty of  
recruiting  
their army.

little importance, in a general view, that it is only necessary to mention the names without entering into particulars, respecting Bondwick, Woodbridge, and Piscataway.

The Americans were in some measure revenged for their losses at Peek's Kill and Danbury, by the prosperous issue of an expedition to Sagg's harbour in Long Island, conducted by Colonel Meigs, at the head of a hundred and seventy men, who, notwithstanding a considerable resistance, burned twelve brigs and sloops, destroyed a large quantity of forage and other necessaries, killed six men, made ninety prisoners, and returned without loss. The celerity of this expedition was remarkable; for, beside the labour accomplished, the party traversed a space of ninety miles by land and water, and returned within twenty-five hours.

Notwithstanding every exertion, the raising of troops for a permanent army did not proceed with the expected facility. Persons employed in recruiting, through vanity or ignorance, made false reports of their success; remonstrances, however urgent, could not prevail on the new levies, in the inclement season of winter, to quit their domestic comforts; the luxuries enjoyed in the British lines, joined to the temptations of a large bounty, occasioned many desertions, and inspired fears of more. Washington, although animated with hopes of ultimate success, cautioned the Congress, a body to whom such an injunction would appear entirely superfluous, to conceal the numbers of their army from the public: "Nothing but a good face," he said, "and false appearances, have enabled us hitherto to deceive the enemy respecting our strength\*."

The American general founded his flattering expectations on the increasing attachment of the troops; their progress in military discipline; the favour resulting to the cause from a protracted struggle, in which not to be defeated was to conquer; the hopes of effec-

\* This letter is dated 21st May, 1777. See Washington's Letters, vol. ii. p. 77. And for the other facts in the above paragraph, the same vol. p. 46, 55, 67, 87.

tual assistance from France; and the certainty that Congress, considering the army their sole resource, would no longer be restrained by a mean and rigid policy from affording encouragement and imparting all requisite powers. They had now learned to excite emulation, and recompense service by rewards and honorary notices. Funeral obsequies, and posthumous memorials, were decreed to Warren, Mercer, and Wooster: the exertions of Arnold at Danbury procured him some promotion, and the donation of a caparisoned charger; and Meigs was rewarded by the gift of an elegant sword.

As spring advanced, Washington's army was augmented to seven thousand two hundred and seventy-two men; a small number compared to the British force, but sufficiently cheering to the enterprising supporter of American independence, who, with less than half that number, had baffled and checked the very army which now opposed him, and raised the fortunes of his country from their lowest ebb. He removed from Morristown to Middlebrook, extending his camp along several hills, which he strongly fortified with intrenchments and artillery. He had the additional advantage of perceiving, from his position, every movement of the British on the Brunswick Hills, of drawing supplies from a plentiful country in his rear, and of effecting, if necessary, a secure retreat over the Hudson or the Delaware.

Sir William Howe, who had hitherto neglected to attempt any enterprize, under pretence that "the green forage was not on the ground\*," at length led forth his troops as far as Somerset court-house, but without a decided plan of operation. If his opponent's position was deemed unassailable, he might have seized one of the communications from which he drew supplies, and afterward risked a further attempt, or retired: but he made no effectual exertion, his troops carried with them victuals for only a few days, and speedily returned to Brunswick, burning several

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9th June.  
Movement of  
Washington.

12th June.  
Motion of the  
British army.

19th June.

\* Galloway's Letters to a Nobleman.



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1777.

Howe makes  
a feigned  
retreat.

22nd June.

Action near  
Quibble Town.

26th.

23rd.

Howe eva-  
cuates the  
Jerseys.Capture of  
General  
Prescott.

dwelling-houses in their retreat, and continually harassed and insulted by the American light troops.

Deeming it impossible to force Washington's position, and failing in every attempt at provoking him to quit it, Howe endeavoured to lure him by a stratagem, well conceived and executed, but unsuccessful in its result. He first relinquished Brunswick, and returned to Amboy, a manœuvre which deceived the Americans, and induced them to dispatch large bodies under the command of Generals Maxwell and Conway, and Lord Stirling, to pursue him in his supposed retreat. The English general furthered the deception, by throwing a bridge across the channel to Staten Island, over which he passed his heavy cannon, and a small number of men. The pursuit was followed with great eagerness; and Washington, deluded by appearances, removed to Quibble Town, to co-operate with his other detachments. The British commander, considering this the moment of success, marched back his army by different routes, hoping to bring his adversary to an engagement, to cut off his advanced parties, or, at least, to secure some passes in the mountains. For the last purpose, Lord Cornwallis being dispatched with a considerable body, fell in with a detachment of three thousand men, under General Maxwell and Lord Stirling, strongly situated, and well provided with artillery, put them to the route, and pursued them to Westfield; but Washington regained his station on the hills, and secured the passes.

On this disappointment, Howe returned to Amboy, and, crossing over with his whole force to Staten Island, evacuated the Jerseys.

During the suspension of hostilities, which ensued from this event, a gallant and well-concerted enterprise procured the Americans the means of exchanging, for General Lee, an officer of equal rank. The headquarters of General Prescott, Governor of Rhode Island, were on the West, near Narraganset Bay, a quarter of a mile from the sea, where he lay in culpable negligence, a mile distant from any body of troops,

without patrols on the shore, and depending only on a guard-ship in the bay for security. Lieutenant-Colonel Barton, apprised of these circumstances, set out from Providence, with some officers and men, in two boats, proceeded across the bay unperceived, landed about midnight, surprised the centinel, seized the general in bed, and, without giving him time to put on his clothes, hurried him and his aid-de-camp on board, and effected his retreat unmolested, and, until out of reach, undiscovered.

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1777.  
10th July.

All the operations of General Howe had not hitherto tended to remove or qualify the disadvantageous impressions occasioned by his tardy commencement of the campaign; nor did his next exertion appear calculated to retrieve the disgrace sustained by the British army in the evacuation of a province once entirely subjected to their force. This retreat exhibited the preposterous sight of an unwieldy mass, moving with heavy solemnity, and submitting to injuries and indignities from a smaller force, rather than use the exertions requisite to annihilate that force, or counteract the effects of its promptitude and activity. Contrary to the judgment of almost the whole army, the British troops, consisting of thirty-six battalions and a regiment of light horse, were, in the hottest period of the year, embarked in transports, and remained thus pent up five-and-twenty days before they reached the Capes of Delaware. The scheme of operation, which reason strongly pointed out, and which Washington himself most apprehended, was a junction with Burgoyne in the North\*: this was not however intended. Seventeen battalions, the new provincial corps, and a regiment of light horse, under the command of Clinton, were left at New York, and several battalions stationed at Rhode Island. Howe originally intended to proceed up the Delaware; but, receiving information that the navigation was impeded by the precautions of the enemy, he sailed to Chesapeak Bay. The periodical prevalence of southerly winds rendered this transit

The British  
army em-  
barks for the  
Delaware.

5th July.

30th.

24th Aug.  
Landed at  
the head of  
Elk.

\* See Washington's Letters, vol. ii. p. 125. et passim.

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28th Aug.29th.  
Howe's de-  
claration.

difficult and tardy: nor did the fleet, till after a tedious passage, enter the Chesapeake, and gain the head of Elk, where the troops were disembarked, and head quarters fixed in the neighbourhood.

On landing, General Howe published a declaration, designed to remove the ill impressions made by reports of the conduct of his troops in the Jerseys, promising protection to all who should return to their homes; the observance of rigid discipline; and the severest punishments on those who plundered or molested his Majesty's well-disposed subjects.

3rd Sept.

As the intention of the British general against Philadelphia was no longer doubtful, Washington, whose force was augmented to fourteen thousand, used every effort, and resolved even to hazard an engagement in protection of the centre of the American empire. From the head of Elk, Howe proceeded to Iron-hill, dispersing the advanced guards of the enemy, and, being joined by Generals Grant and Knyphausen, they moved forward in two columns.

11th.  
Battle of  
Brandy-  
wine.

The Americans retired before them to a strong position under the cover of woods, with intervals of open ground on the opposite side of the Brandywine, a creek which runs into the Delaware at Wilmington, and which the British army must pass in their route to Philadelphia. At Chad's Ford, where the passage was likely to be attempted, batteries were erected and intrenchments formed. To this place General Knyphausen advanced with the second division, forced a detached body of the enemy, who had crossed the river, to repass it under cover of their batteries, and commenced a brisk cannonade. This manœuvre was only a feint; Lord Cornwallis, with one column of the army, by a circuitous route, crossed the forks of the Brandywine, and took the road to Delworth, leading on the right of the enemy. As soon as the success of his lordship's attempt became obvious, from the cannonade in that quarter, and the evident confusion in the provincial troops, Knyphausen, with his division, gallantly passed the ford, and carried the batteries.

General Sullivan, with ten thousand men, dispatched by Washington to oppose Lord Cornwallis, took possession of the heights above Birmingham church; his left reaching toward the Brandywine; his artillery judiciously posted, and his flanks covered by woods. At four o'clock, the British army began the attack, and with resistless impetuosity drove the enemy to the forests for refuge: here they were reinforced, and assumed a new post; but were again, after a desperate resistance, compelled to give way. The rout was complete; the Americans fled with precipitation, and in various directions, while the Commander-in-chief, at the head of the corps he was enabled to keep together, escaped with his cannon and baggage to Chester, and, passing by Derby to Philadelphia, for the purpose of recruiting his magazines and stores, crossed the Schuylkill, and proceeded to the Lancaster road\*. In the evening an English party, sent to Wilmington, took Mr. Mackenzie, Governor of the Delaware state, out of his bed, and seized a shallop lying in the creek, loaded with the rich effects of the inhabitants, together with the records of the county, a large quantity of public and private money, and all the papers and certificates belonging to the loan and treasury offices.

The success of this day was owing principally to the judicious manœuvre of Sir William Howe: he kept the enemy in a state of uncertainty with respect to his ultimate intentions, which prevented them from forming any consistent plan of opposition†; and Lord Cornwallis executed his orders with such promptitude and effect, that no adequate disposition could be made for resisting his progress, and the troops he first encountered were defeated before they could be reinforced. In this battle, the foreign volunteers were conspicuously engaged. La Fayette made his first military exertion, and received a wound in the leg, which obliged him to retire from active service two months‡.

\* The loss of the provincials amounted to three hundred killed, six hundred wounded, and near four hundred prisoners: that of the British was a hundred slain, and four hundred wounded.

† Washington's Letters, vol. ii. p. 167.

‡ Idem, p. 168. Sparks's Life of Washington, vol. i. p. 253. Sir William

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1777

Efforts of the  
Americans to  
defend Phila-  
delphia.

18th Sept.

The works for defence in Philadelphia were carried on with unremitting diligence, and, as a further protection, Washington directed the meadows on Providence Island to be overflowed\*. Sir William Howe advanced with caution, endeavouring, by frequent manœuvres, to distract the attention of the enemy, who constantly hovered before him, as if inclined to risk another engagement to save the city. Near Warren Tavern, on the Lancaster road, both parties drew up in order of battle; but a violent storm of rain, which lasted a whole day and night, prevented the encounter, and the Americans, finding their ammunition spoilt by the weather, withdrew to a place of safety. Sir William Howe, thus disappointed, marched toward the Swedes ford; the Americans again made a delusive shew of opposition, which he disregarded and moved toward Reading; while Washington, alarmed for the stores, took a new position, and left his opponent in possession of the roads leading to Philadelphia.

20th Sept.  
Surprise of  
General  
Wayne.

When General Howe was preparing to proceed for this city, he received information that a party of fifteen hundred men under General Wayne was concealed in the woods, for the purpose of harassing his rear; and dispatched Major-General Grey to surprise them, which he most ably effected. To prevent untimely alarm, and confine his men to the use of the bayonet, the flints were taken from their pieces: the out-posts were carried without noise, three hundred were killed, and a hundred captured; the remainder escaping with the loss of all their baggage.

Capture of  
Philadelphia.

The receipt of information by Howe, at a time when Washington could not obtain the least intelligence of his movements, proves the unpopularity of

Howe has been reproached, perhaps somewhat captiously, with having neglected to make the utmost possible advantage of the results of this day. Washington himself does not appear to have been of this opinion; and those writers, who censure the British General with the greatest asperity, allow that, although his troops were in general in good health and spirits, the horses were in a miserable condition: but even the men, so long confined in transports in a hot season, could not immediately undertake such great exertions as a rapid pursuit of the discomfited enemy would have required. See Galloway's *Letters to a Nobleman*, on the conduct of the war, p. 74; copied by Stedman, vol. i. p. 293. See Washington's *Letters*, on the day ensuing the engagement.

\* Washington's *Letters*, vol. ii. p. 168.

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23rd Sept.

26th.

27th.

the American cause, even in the immediate seat of their government. General Howe, passing the Schuylkill with his whole army, proceeded to German Town, and, on the ensuing day, Lord Cornwallis took undisputed possession of Philadelphia. Congress, who had resumed their sittings in the city, were again obliged to fly, first to Lancaster, and afterward to York Town.

The non-resistance of the Americans on this occasion must be imputed to their total want of information with respect to the movements of Howe; to the sagacity of his manœuvres, which enabled him to gain so much ground in advance of the enemy, that it was in vain for Washington to attempt overtaking his rear; to the judicious employment of his time since the battle of Brandywine, which kept the Americans harassed with perpetual marching; and to the inability of that army to attempt any energetic enterprize from their miserable condition, which extended even to a want of shoes, upward of a thousand having performed several days duty entirely barefoot\*.

Although the capture of Philadelphia was objected to as a measure more suited to the close than the commencement of a campaign, as the defence of it would require an army†; yet the possession of that city and of German Town was of great importance, as it facilitated a communication between the northern and southern provinces, and, if the Delaware were opened, between the army and navy.

By the advice of Dr. Franklin, the Americans had used extraordinary means to render the Delaware unnavigable, and the possession of Philadelphia of no advantage. Thirteen gallies, two floating batteries, two zebeques, one brig, one ship, beside a number of armed boats, fire-ships, and rafts, were constructed or employed for this purpose. The Americans had also built a fort, called Mifflin, and raised a considerable

Strong defence of the Delaware.

\* See Washington's Letters, vol. ii. p. 173.

† This fact justified Franklin's observation, that Sir William Howe had not taken Philadelphia; but Philadelphia had taken Sir William Howe. Ramsay, vol. ii. p. 14.

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battery on Mud Island, situated near the middle of the river, about seven miles below Philadelphia; and no vessel of burthen can come up but by the main ship channel, which passes close to Mud Island, and is very narrow for more than a mile below. Opposite Fort Mifflin is a height called Red Bank, overlooking the river and the neighbouring country, on which a respectable battery was erected. Between these two fortresses, which are half a mile asunder, the American naval armament made their harbour of retreat. Two ranges of chevaux de frise were also sunk in the channel, consisting of large pieces of timber strongly framed together, in the manner usual for the foundation of wharfs in deep water. Several large points of barbed iron, projecting down the river, were annexed to the upper parts of these chevaux de frise, and the whole was sunk with stones, so as to be about four feet under water at low tide. Their prodigious weight and strength could not fail to effect the destruction of any vessel which came upon them. Thirty of these machines were sunk three hundred yards below Fort Mifflin, stretching in a diagonal line across the channel. The only open passage between two piers, lying close to the fort, was secured by a strong boom, and could not be approached but in a direct line to the battery. Another fortification was erected on a high bank on the Jersey shore, called Billingsport; and, opposite to this, another range of chevaux de frise was deposited, leaving only a narrow and shallow channel on the one side. There was also a temporary battery of two heavy cannon at the mouth of Mantua Creek, about the midway from Red Bank to Billingsport.

A detachment, under Colonel Stirling, crossed the Delaware, and, taking possession of Billingsport without opposition, enabled Captain Hammond, of the Roebuck, partially to remove the lower line of chevaux de frise; but the two upper lines still remained, with the forts which defended them, in possession of the Americans. Such was the position of affairs, when Lord Howe, after a boisterous passage, arrived with his fleet from the Elk river, and anchored on the west-

1st October.  
Billingsport  
taken.

ern shore, from the town of Newcastle down to Reedy Island.

At this period, General Washington, having gained intelligence, through two intercepted letters, of the expedition against Billingsport, and received reinforcements of fifteen hundred men from the forts in the islands by way of Peek's Kill, and one thousand from Virginia, decamped at seven in the evening from Skippack Creek, distant about seventeen miles; and, at dawn of day, attacked the fortieth regiment, posted at the head of German Town, and obliged them to retreat. The commanding officer, Lieutenant-Colonel Musgrave, placed five companies in a large stone house in the village fronting the enemy, thus arresting their career, while the British troops got under arms. Washington surrounded this house with a brigade and four pieces of cannon; but Musgrave, from the windows, did considerable execution until assistance arrived. The Americans were soon defeated, and commenced a retreat, which, by favour of a thick fog, they effected with all their artillery: their loss was fourteen hundred killed, wounded, and prisoners; that of the British, six hundred, including General Agnew and Colonel Bird. Washington was guilty of an egregious error in delaying his progress to besiege the stone house; if he had left a corps to observe it, and proceeded with his main force, the total defeat of the English army was extremely probable.

The grand object of freeing the navigation of the Delaware was eagerly pursued by the English, and no less vigorously opposed by the enemy. Washington, despairing of another effectual attack on the British force, detached large reinforcements to the garrisons, and encouraged exertions by liberal promises of reward. Since the capture of Billingsport, the Americans had negligently been permitted to fortify Red Bank, which was now attacked by a detachment under Count Donop, a brave and high-spirited German officer. He advanced to the assault through a tremendous fire, not only from the works, but from the galleys and floating batteries on the river; drove the enemy from an extensive outwork, and compelled them to take shelter

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Action at  
German Town.

3rd October.

4th.

Attack on  
Red Bank.

22nd Oct.



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in the redoubt, which, for the want of scaling ladders, could not be forced; and it was owing to this unpardonable neglect, that this resolute band had the mortification of seeing the fruits of their gallantry elude their grasp. The brave Donop, extended on the earth, his thigh fractured by a musket shot, could not accompany his troops in their retreat, which was no less perilous than their onset: he fell into the hands of the enemy, and expired in a few days.

Loss of the  
Augusta and  
Merlin.

23rd.

The loss of land forces killed and wounded was about four hundred; but this was not the whole amount of the disaster. Several sloops of war were ordered to move up the river to assist in the attack; two of them, the *Augusta* and *Merlin*, ran aground. On the following morning, during an attack from the enemy, the *Augusta* took fire and blew up, with a few of the crew; and all efforts to float the *Merlin* failing, she was abandoned and burnt.

The enemy's  
forts at length  
taken.

15th to  
17th Nov.

Preparations for reducing Mud Island proceeded slowly, on account of the natural impediments; and when they were finished, some days elapsed before the fleet could co-operate in the attack. At length, a vigorous cannonade, in every direction, compelled the enemy to retire; the redoubt at Red Bank was abandoned on the approach of Lord Cornwallis; the greater part of the American vessels were burnt; the chevaux de frise were with difficulty removed, and the *Delaware* at last opened.

Washington  
encamps at  
White Marsh.  
4th to 5th Dec.

General Washington, reinforced by four thousand men from the northern army, encamped at White Marsh, an advantageous station about fourteen miles from Philadelphia. General Howe quitted Philadelphia, and hovered for several days about the American camp, forcing their out-posts, and endeavouring by every manœuvre to urge them to a general engagement; but, finding all his efforts unavailing, he returned to the city, and Washington, unwilling to relinquish his strong position, suffered the rear of the English to retire unmolested.

At the close of the year, the American commander removed from White Marsh to Valley Forge, where he took up his winter quarters. He preferred this

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Huts his army  
at Valley Ford.

situation to a more comfortable and convenient residence in Lancaster, York, or Carlisle, because it afforded him better means of repressing the disposition of the country to desert the cause of Congress, and narrowed the influence of the British commanders to the very spot of their residence. His troops were in a state of such deplorable misery, that their march from one place of encampment to the other might be traced by the blood which their bare feet left on the snow, and hundreds were without blankets. It affords a strong proof of Washington's influence over these men, that he not only induced them to brave with him the inclemency of a whole winter, but to undertake the difficult and unusual task of building huts for their residence, as a substitute for tents: nor is it less honourable to the character of this chieftain, that once only, on an urgent necessity, he ventured to supply the wants of his troops by a compulsory requisition; he took this step with regret, and testified, without delay, his repugnance ever again to practise such an expedient\*.

On the part of the British commander, the transactions of the campaign might be considered glorious. He began late, and is accused of not extracting the utmost advantage from his successes; but he gained two brilliant victories in the field, drove the enemy before him, took the city which was the seat of government, and repeatedly braved the American army to a new conflict; yet the British cause was not advanced: the rival army maintained a position within eighteen miles of the city, and all the General's advantages produced only the acquisition of comfortable winter quarters in Philadelphia. In truth, the nature of the contest and the manifest disadvantages with which the British cause was oppressed, were daily becoming more apparent. Congress, as a centre or general representative government of the whole country, could make laws binding the whole people, while such of our governors as retained a semblance of authority, could only sanction laws for their own particular pro-

Sir William  
Howe retires  
into winter  
quarters.

\* See Washington's Letters, vol. ii. p. 222.

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Campaign of  
the Canadian  
army.

Observations  
on the em-  
ployment of  
savages.

vinces. Congress could decree confiscations, incapacities, and imprisonments; had retaliation been attempted, it would have been vain. They had for the objects of their operation men of wealth and honourable feeling; our vengeance could fall only on the immediate possessions of poor and humble individuals; they could exert their rage without reference to any rights or laws but those of their own making; we could make no new laws; military enforcement would inflame rancour, but not increase submission; and an act of Parliament would have been cited as an additional proof of tyranny and motive to resistance.

General Burgoyne conducted the campaign in the North; his appointment was inauspicious, as it occasioned a meritorious and esteemed officer, Sir Guy Carleton, to resign his government in disgust. From this expedition, and the prosperous situation of affairs at the end of the last season, the highest expectations were formed; a body of seven thousand one hundred and seventy-three veteran troops, exclusive of a corps of artillery, abundantly supplied, and led by select and experienced officers, was sent from England; and vast quantities of military stores were furnished for the use of Canadians who should enter the British service.

Several nations of savages, on the back settlements and borders of the Western lakes, joined this army; a transaction which was severely, but most unjustly, censured in print, in Parliament, and in the declaration of independence. The employment of subsidiary forces in any war, foreign or civil, is a practice in which all nations concur, and against which, in general, no arguments are advanced, except such as arise from prejudice and party heat. The Indians had been engaged in former wars by the Americans, the French, and the English, without exception or reproach. But, in the present case, it was said that the Americans being our brethren, and the Indians untutored and remorseless savages, they ought not to have been retained as the allies of Britain. From reiterated wrongs, from cruelties and injuries, which degrade

those who practise them far more than merely following the impulses of uncultivated nature, these savages were become the inveterate and implacable foes of the colonists. The earliest accounts from the American settlers are replete with narratives of wars between them and the natives, with accounts of efforts to cajole them into subjection, and of massacres which ensued from their endeavours to maintain undisturbed possession of their own territories. The force and purse of Great Britain had often been exerted in defending the colonists against these savages; and the Americans, with wicked policy, called in, for their subjugation, an ally more effective and dreadful than the musket or the sword—the small pox; with which contagion they contrived periodically to infect these ignorant people\*. A state of hostility was therefore natural between the Americans and the savages, and no more was necessary than for Great Britain to withdraw her forces from protecting the colonies, to incline them to take up arms. Their ferocity in victory was more than counterbalanced by their unskilfulness in conflict; and perhaps was grossly exaggerated, in order to furnish popular topics of declamation, and give foundation for the accusation urged against the King in the declaration of Congress.

In this mode of considering the subject, perhaps the use of such auxiliaries might be justified in the abstract; but, in fact, the Americans had no right to complain, for they first associated the savages with them in attacking the English. None of these people were engaged in the King's service till the action at the Cedars in 1776; whereas, in the campaign of the preceding year, a body of Indians was brought down against his Majesty's troops in New England and the northern provinces. The committee of Carolina, early in the same year, sent a deputation to the Cherokees, not merely to engage them to take up arms, but also to invite the assassination of an offensive individual. Early in 1776, an attack was also made on the Isle of

\* Tucker's Tract, v. Dedication, p. vi.

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Tybee by Indians, and Americans disguised like them, who with their habit adopted their manners, and scalped several mariners and a ship's carpenter\*. In fact, it appears by incontrovertible evidence, that, from the first moment of resolving on hostilities, the Americans were anxious to employ the Indians on their side; that they maintained an active intercourse with them, by means of missionaries, and when they found at last, that the English, having more resources, and a greater facility in making presents, could more effectually attach the Indians to their cause, they reluctantly gave up the attempt, and contented themselves with requiring only their friendship and neutrality†.

Burgoyne's  
preparations.

As it was General Burgoyne's interest to keep his regular troops as much as possible together, the inhabitants of Canada were obliged to furnish men sufficient to occupy the woods on the frontiers, prevent desertion, procure intelligence, and intercept all communication between the enemy and the malcontents in the province. They were also required to provide men for the completion of the fortifications at Sorel, St. John's, and Isle aux Noix, and horses for the carriage of provisions, artillery, and stores, and were employed in repairing the roads which were destroyed by these preparations.

16th June.  
He arrives  
at Crown  
Point.

Having completed these arrangements, Burgoyne departed from St. John's, preceded by a naval force, under Commodore Lutwych, which the enemy could not oppose; and the troops, being landed without resistance, were encamped at and near Crown Point.

War feast.

20th June.  
Proclamation.

In this position, the general gave a war feast to the Indians, accompanied with an exhortation to abstain from cruelty, and issued a proclamation, somewhat pompous and florid, but in its general tenor sufficiently moderate. It displayed the motives by which Great Britain was impelled to take up arms, described, in animated terms, the tyranny, cruelty, and hypocrisy,

\* Answer to the declaration of the American Congress, page 108.

† Washington's Letters, vol. ii. p. 48, 274. See also a very candid account of all the transactions between the insurgents, the British, and the savages, in Ramsay's History of the American Revolution, vol. ii. c. xviii.

with which, under pretence of securing liberty, and promoting the cause of religion, the Congress oppressed the people of America. It promised encouragement and employment to those who would arm in the British cause, protection to the domestic, industrious, infirm, and even to the timid, provided they would remain at home, and offer no impediment to the progress or supplies of the army; and engaged that payment in solid coin, at an equitable rate, should be made for all provisions brought to the camp. The health, discipline, and valour of the troops were descanted on in boastful phrase; the celerity and certainty of destruction by the Indian forces were exhibited in a figurative style, analogous to their mode of oratory; and the vengeance of the state was denounced against those who, notwithstanding the conciliatory endeavours of the General, should still continue infected with the frenzy of hostility. "The messengers of justice and of wrath," he said, "await them in the field; and devastation, famine, and every concomitant horror that a reluctant but indispensable prosecution of military duty must occasion, will bar the way to their return." As General Burgoyne's force consisted of British and German regiments, with light troops composed of Indians and Canadians, the object of this verbose proclamation was at once to stimulate general exertion in a cause felt only by the British corps as a matter of national interest, and to alarm the enemy, on account of the probable consequences of an Indian attack, however restrained by the general regulations, and the promises of their chiefs.

The Americans, since they had obtained possession of Ticonderoga and Crown Point, had increased the strength of the fortifications, and extended the means of defence by works on Mount Independence, which they had united to Ticonderoga by a strong bridge of twenty-two sunk piers. Had these fortifications been sufficiently manned, they could long have withstood all the efforts of the British army; but General St. Clair had only three thousand four hundred and forty-six Americans, including nine hundred militia, badly

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Fortifications  
of Crown  
Point and  
Ticonderoga.

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30th June.  
They are  
captured.

equipped and worse armed, for the defence of positions which required three times that number.

On his arrival at Crown Point, Burgoyne issued orders to his army, stating that the services required were critical and conspicuous; occasions might occur, in which neither difficulty, labour, nor life, was to be regarded; but the army must not retreat. His first object being the capture of Ticonderoga, he nearly surrounded the works with the German regiments under General Reidesel, and those of Mount Independence with the British, while General Philips erected a battery on Sugar-loaf Hill, which, in a great degree, commanded both, though not nearer than sixteen hundred yards; the Americans, for want of numbers, had not been able to occupy this height. Thus circumstanced, St. Clair called a council of war; and his officers unanimously agreeing that their whole force could not, even if on constant duty, prevent the capture of the place, a retreat was effected by night towards Skenesborough, the baggage, provisions, and stores, being dispatched in batteaux. When the dawn enabled the British forces to discern this unexpected event, a pursuit was commenced; Commodore Lutwyche removed some ponderous, but imperfect obstructions sunk in the water; and Major Carter, of the British artillery, with gun-boats manned as in the preceding year, overtook part of the vessels at Skenesborough, captured five, and obliged the Americans to destroy all their preparations at that place. Burgoyne advanced with the main body to South Bay, which the enemy evacuated, setting fire to their mills, works, and storehouses.

5th July.  
Pursuit of the  
enemy.  
6th.

7th.  
Action be-  
tween General  
Frazer and  
Colonel  
Francis.

Brigadier-General Frazer overtook the rear of the fugitives, consisting of fifteen hundred chosen troops, under Colonel Francis, and commenced an engagement near Huberton, although greatly inferior in numbers: the arrival of some Germans under Reidesel, who, by a feint, made his force seem greater than it really was, decided the day; the Americans precipitately fled; their commander, several other officers, and two hundred men, were killed; a similar number captured,

and six hundred are supposed to have died of their wounds, undiscovered, in the woods. Another division of the garrison was pursued by Colonel Hill, who routed them with great slaughter, compelling them to retreat to the heights of Fort Edward, first setting fire to Fort Anne. On the defeat of Colonel Francis, General St. Clair, after a fatiguing march, joined General Schuyler at Fort Edward, where the whole American force, including militia, did not exceed four thousand four hundred men\*; and if the country could have been reckoned upon for the subsistence of an army, Burgoyne might effectually have prevented the formation of any American corps to check the progress of his troops to New York, unless Washington moved against him. But as the obtaining of necessaries could not be rendered certain, his sole dependence was on supplies of salt provisions from England, brought, with infinite labour, through Canada and over the lakes Champlain and George.

Pursuing his route to Albany, by the road leading from Skenesborough to Hudson's river, Burgoyne experienced inconceivable difficulties and delays. The distance was only a few miles; but nature and the efforts of the enemy had clogged it with accumulated obstacles. The Americans, under the direction of General Schuyler, felled large trees from a continued forest on both sides of the road, and into Wood Creek, so as to fall across with their branches interwoven. The face of the country being broken with creeks and marshes, the army had no less than forty bridges to construct, one of which was over a morass, two miles in extent. This difficult march could not be avoided in passing from Skenesborough to Fort Edward. It was not possible to proceed by the side of lake George (there being no road for thirty-six miles), and boats for the army must have been drawn over land by men, from Saw-mill Creek, on lake Champlain, into lake George, a distance of nearly two miles. This decided Burgoyne to proceed in two columns,

Delays and difficulties of Burgoyne's army.

\* St. Clair was tried by a court-martial for cowardice, incapacity, and treachery, in evacuating Ticonderoga, but honourably acquitted.



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14th to  
29th July.The Ameri-  
cans recruit  
their army.10th July.  
Proclamation  
by Burgoyne ;

and Schuyler.

the main body passing by Skenesborough, while the small corps, for which boats could be got into lake George, took that route, covered by some artillery in gun-boats. The Americans had a force of that kind on the lake, but finding it insufficient for resistance, destroyed it as the British advanced.

This slow progress afforded the Americans time to recruit their forces, and revive enthusiasm. The discomfited and retreating army was reduced to two thousand seven hundred men : but, placed between the inhabitants and the British general, they formed a point of rendezvous, and abated the panic of the people ; their exertions verified the observation of General St. Clair on abandoning Ticonderoga, that he had lost a post, but saved a state\*. Burgoyne having issued a proclamation, requiring deputations of ten persons from each township to attend him at Skenesborough, Schuyler, in a counter proclamation, recited with exaggerations the violences of the British army in New Jersey, exhorted the people not to attend to the promises of the General, on pain of being considered traitors, and commanded the militia to join him without delay. These demands were more than complied with ; an universal alacrity prevailed ; the formalities of convening, draughting, and appointing officers were dispensed with ; and numbers flocked in with their arms, on the mere persuasion of general danger. The employment of so large an Indian force, without letting them use their naturally cruel mode of warfare, and the consequent appearance of exaggeration in displaying its terrors, contributed to this effect in the minds of the Americans ; while the Indians, deprived of plunder and scalps by Burgoyne's injunctions, gradually deserted when no more presents were expected ; and, as some were fifteen hundred miles distant from home, an early retreat was necessary to reach their residence before the upper lakes were frozen.

The New England states being very populous, an

\* See his letter to Congress, Remembrancer, vol. v. p. 357.

army poured in from the woods and mountains as well as the towns, which, by reinforcements from other provinces, soon amounted to thirteen thousand men. They were inflamed by daily declamations against British and Indian cruelty\*, and animated with the hope that the royal army, by pushing forward through a country destitute of provisions, would, in the end, be incapable of advancing or retreating for want of supplies.

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When Burgoyne quitted Canada, Brigadier-General St. Leger was detached with two hundred British, two hundred American loyalists, and a number of German chasseurs, to meet four hundred Indians, making up a force of about a thousand men. He proceeded by the river St. Lawrence, and, crossing Lake Ontario, between Niagara and Oswego, invested Fort Stanwix with this force and eight light field-pieces, not being able to carry a besieging artillery, and hoping to succeed by an assault, or through dread of the Indians. A party of militia sent to raise the siege, under the command of General Harkimer, was defeated by the Indians in a gallant action; but they lost many of their warriors, and the garrison still refused to surrender. Two enterprising officers, Lieutenant-Colonel Willet and Lieutenant Stockwell, passing by night undiscovered through the works of the besiegers, imparted to General Schuyler the situation of the fort. A body for its relief had already been dispatched under Arnold; but, before their arrival,

Siege of  
Stanwix.

6th August.

\* The principal instance of Indian cruelty, and which was copiously descanted on both in America and England, was the story of Miss Macrea. This unfortunate event, divested of all rhetorical and party appendages, is thus related by Ramsay (*History of the American Revolution*, v. ii. p. 37). "This young lady, in the innocence of youth and bloom of beauty, the daughter of a steady loyalist, and engaged to be married to a British officer, was, on the very day of her intended nuptials, massacred by the savage auxiliaries attached to the British army. Mr. Jones, her lover, from an anxiety for her safety, engaged some Indians to remove her from among the Americans, and promised to reward the person who should bring her safe to him with a barrel of rum. Two of the Indians who had conveyed her some distance on the way to her intended husband, disputed which of them should present her to Mr. Jones. Both were anxious for the reward. One of them killed her with his tomahawk, to prevent the other from receiving it. Burgoyne obliged the Indians to deliver up the murderer, and threatened to put him to death. His life was only spared upon the Indians agreeing to terms which the General thought would be more efficacious than an execution in preventing similar mischiefs."

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22nd August.

Expedition  
to Benning-  
ton.

St. Leger had relinquished the attempt. A person deputed from the garrison so alarmed the Indians, by accounts of the vast force which was coming to attack them, that part of them decamped, and the rest threatened to follow, unless the British commander would retreat. Thus deserted, he precipitately abandoned his operations, leaving his tents and considerable quantities of stores, which fell into the hands of the garrison; and the Indians, whose barbarities no injunctions could restrain, finding themselves disappointed of other plunder, pillaged the baggage and provisions of the British troops. Such was the termination of an enterprise from which Burgoyne expected a diversion, in the first instance, of the enemy's force, and finally an addition to his own by a junction with General St. Leger, at the point where the Mohawk river falls into the Hudson's, between Saratoga and Albany.

During this attempt on Fort Stanwix, General Burgoyne conceived that a rapid move forward would be productive of great advantages; but the difficulty of ensuring provisions, and the want of ox-teams, carriages, and other necessaries, making that a most hazardous undertaking, he was induced to send a party for the purpose of obtaining a supply from the enemy's stores near Bennington. Deluded by erroneous statements of the amicable dispositions of the country, he detached a force consisting of only six hundred men. The Germans were selected for this purpose, as the country was favourable for their employment in this or any other detached operation, and General Reidesel's own dismounted regiment of dragoons formed a part of the force in order to procure horses, as Burgoyne had no other cavalry. The whole was commanded by Colonel Baum. On the second day of his march, after obtaining some slight successes, being informed that the enemy were assembling in great force from New Hampshire and the borders of Connecticut, for the defence of Bennington, he halted at Walloon Creek; and, after taking the best position in his power at St. Creik's Mills, near Bennington, dispatched a

messenger to apprise Burgoyne of his situation. A body of five hundred German grenadiers and light infantry was sent to his succour, under Lieutenant-Colonel Breyman; but, owing to bad roads and other impediments, this corps did not advance twenty-five miles in thirty hours; and, before their arrival, Starke, an American general, who was proceeding with troops from New Hampshire and Massachusetts Bay, to reinforce General Schuyler, deviating from his route, joined Colonel Warner at Bennington. Colonel Baum, attacked by their united forces, made a vigorous defence, endured a galling fire of musketry nearly an hour, and three times drove the enemy from commanding ground; but their numbers continually augmenting, and the Colonel's force being decreased by the desertion of the Indians and other irregular corps, the Germans were at length broken and driven into the woods, leaving their commander mortally wounded on the field. The victors immediately advanced to the attack of Breyman, who, after expending all his ammunition in a gallant resistance, was compelled to seek safety by retreating to the main army, which advanced to receive him at Batten Hill. The loss in these two actions was six hundred men. The misfortune was principally owing to the accidental passing of General Starke's corps, and the difficulties which prevented Breyman from reaching Baum before he was attacked, by which they were defeated separately. It has been objected to Burgoyne, that he sent German regiments on this business: that their close formation unfitted them for wood fighting, and that their being heavily armed, incapacitated them for rapid movements, are unquestionable truths; but the Germans formed half the army, and were growing jealous at not being trusted with detached duties. Their dragoons were sent from England to mount themselves for service, from which it appears that they were originally selected to act in the most woody part of the country; but their services on this occasion were unfortunately misapplied. Necessity probably occasioned the whole disaster. Ministers could dispatch no other troops,

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Defeat of  
Colonel  
Baum;

and Breyman.

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Effects of  
these disasters.

and Burgoyne was compelled to employ them ; but an army composed of different nations and interests, could not be relied on for exertions proportionate to its numbers.

This misfortune, and the failure of St. Leger's operations, formed the leading features in the ruin of Burgoyne's expedition, and he heard of both nearly at the same time. The expedition against Bennington proved that the Brunswickers could not well be employed separately, and the Americans felt less apprehension at that superiority of discipline which in an open country would have given the Germans a decided advantage. A party of American loyalists, on their way to join Burgoyne, attached themselves to Baum's corps, and were destroyed with it, which prevented, in a great measure, similar attempts to join the royal army. The Canadians and Indians who effected their retreat from Baum and Breyman's corps, detailed with exaggeration the valour of the Americans who had driven them back, and dispirited their countrymen who had not been in action ; so that a very extensive defection took place among the Indians, and the Canadian boatmen and drivers employed with the army took every opportunity to return home, although it was known that many were killed by the Indian deserters, for the sake of scalps to exhibit as trophies\*.

Gates com-  
mands the  
Americans.

The Americans, on the other hand, unused to success for a long period, felt its full force, and flocked to the standard of General Gates, whom Congress had appointed to arrest the progress of the British and German forces.

Burgoyne  
crosses Hud-  
son's river.

General Burgoyne, who had crossed the Hudson's river, by a bridge formed of felled trees, cut in lengths and fastened together, fell back upon Duer's House, to cover the convoy of provisions from Canada, and, hav-

\* The manner of obtaining these barbarous trophies is no object of consideration among the Indians, cunning being as much respected as valour by a people whose subsistence depends principally upon hunting. For this reason the rewards which Burgoyne gave to the Indians for living prisoners bore no estimation in comparison with their scalps, and great disgust was occasioned by restricting them in this point ; at least, it was made a strong ground for gutting him ; so that, while he was abused by the Americans for cruelty, the Indians deserted him for the want of it.

ing no other resource in contemplation, except the co-operation of General Howe's army, sent an officer to Albany for intelligence.

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Having, by immense labour, collected a month's salt provisions, Burgoyne, under all these discouragements, determined to advance, according to instructions, which he conceived to be so peremptory, and connected with the general operations in America, that he did not even assemble a council of war, but again crossed the Hudson's, and took post on the heights of Saratoga, giving up all communication with his magazines in Canada.

13th Sept.  
Advances to  
Saratoga.

After passing some days in repairing roads, or approaching the American forces, his army advanced in several columns, the grenadiers, light infantry, ninth, twentieth, twenty-first, twenty-fourth, and sixty-second British regiments on the right, with their artillery, taking two roads on the heights and through the woods to Freeman's farm. The German regiments of Retz, Specht, Reidesel, and Hesse Hannau, infantry, with Breyman's grenadiers and chasseurs and part of the forty-seventh British, followed the great route to Albany by the river side, for the security of the baggage and provisions, floated down in boats, or drawn in carriages on this, the only good road.

19th.  
Battle of  
Still Water.

Of the five hundred Indians originally with the army, not more than fifty now remained, who were attached to the British column on the right, with two hundred American loyalists, and eighty Canadian light infantry.

About noon, the Americans, under General Arnold, who, the preceding day, had fired upon some stragglers, attacked the British corps with great spirit, and a severe conflict continued until dusk, when Philips, who commanded the left column, brought up the Germans to join in a general charge, which was completely successful, the Americans being driven within their lines. This advantage was, however, dearly purchased; most of the artillery men were killed at their guns, and the sixty-second regiment lost more than two-thirds of its effective soldiers; the other British corps also suffered in a great proportion, and, in the

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18th Sept.  
The Americans de-  
stroy the  
transports.

course of this day, Burgoyne's force sustained a diminution of more than six hundred men.

The Americans lost an equal number; but they had now tried their strength with every nation opposed to them; and the halt which General Burgoyne was obliged to make for the collection and care of his wounded, produced the effect of a defeat, and encouraged a spirit of enthusiasm throughout the New England states, which General Gates soon felt by reinforcements of every description, many persons even bringing their own provisions as well as ammunition to his army.

On the day preceding this action, the Americans secretly detached a corps to Burgoyne's rear, which surprised three companies of the fifty-third regiment, and destroyed, on lake George, the boats employed to convey provisions; and, though their numbers were inadequate, and their artillery defective, attempted to capture Ticonderoga, as well as Diamond Island, in the middle of the lake, where there was a depôt of stores.

Thus, in fact, was the retreat of Burgoyne effectually prevented; and, with a superior army in his front, he judged it prudent to await events and intelligence from the southward, strengthening the position which he had taken after the action of the 19th of September, between Freeman's Farm and Still Water.

3rd Oct.  
Increasing  
difficulties of  
Burgoyne.  
7th Oct.  
His attempt  
to extricate  
himself.

Finding his difficulties daily augmenting, his numbers diminished to less than six thousand, and reduced to half the usual allowance of provisions, the forage exhausted, horses perishing for want, and no apparent prospect of relief, he resolved on a desperate attempt to dislodge the enemy from their post on the left. In order to cannonade them out of their position, he advanced with fifteen hundred men; but this detachment had scarcely formed within half a mile of the enemy's intrenchments, when they were suddenly attacked by a superior force under Arnold, and obliged to retreat to their camp with the loss of six pieces of cannon. They had hardly gained the lines, when a furious assault was made on them by the Americans, which was repulsed in the English quarter, and Arnold

His lines  
attacked.

wounded; but the German intrenchments were carried, Colonel Breyman killed, about two hundred prisoners taken, and General Frazer mortally wounded.

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Thus critically situated, Burgoyne changed his position, with great ability and celerity, in the night after the action; the enemy consequently made a new disposition, but, although greatly superior in numbers, and elated with success, prudently declined an engagement, in hopes of surrounding the British army; but Burgoyne fell back in two days' march by Dovegot House to Saratoga, unopposed, breaking the roads and bridges in his retreat. Being unable, for want of carriages, to remove the wounded, who were very numerous, he left them in tents, under the care of Dr. Hayes and able assistants, with orders to send a flag of truce, conveying a recommendation of them to the humanity of General Gates and his army, in which his expectations were fully realized. Thus disembarrassed, he halted at Saratoga; precluded from a retreat to lake George, or Skenesborough, by a corps of Americans, collected on the opposite side of Hudson's river, which equally prevented a measure once contemplated, of retiring in the night to Fort Edward, to wait events. This march was in some measure arranged, each soldier being directed to carry a few days provisions on his back; but it was afterwards given up, when it was discovered that the heights of Fort Edward, and all other communications with Canada, were occupied by the enemy, and that, even in the event of reaching Fort George, the army must surrender for want of provisions; beside which, the boats on the lake had been destroyed.

Changes his  
position.

8th Oct.  
Falls back on  
Saratoga.

Enfeebled by daily losses, his provisions reduced to eight days' subsistence, and numbers of his German soldiers being enticed to desert and become settlers, General Burgoyne called a council of war, at which, not only field officers, but captains assisted; and it was unanimously resolved to enter into a convention with General Gates for surrender of the army. The convention, after some discussions, was adjusted; and, considering the increasing force and advantageous

13th Oct.  
Calls a  
council of  
war.

Arranges a  
convention.



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16th Oct.Moderation  
of Gates.  
Surrender of  
the British  
army.

situation of the Americans, the terms were painful but unexceptionable. The troops were to march out of their intrenchments, with the honours of war, to a certain distance, where they were to leave their arms and artillery: they were to have a free passage to Great Britain in transports from Boston, on condition of not serving again in America during the war, unless exchanged. The remaining articles related only to the march to New England, the return of the Canadians to their homes, and the treatment of the other officers and soldiers, until embarked for Europe\*.

General Gates having every thing to hope from his present success, and from speedily reinforcing General Washington's army, suffered his original draft of articles to be modified, so as to prevent a further effusion of blood, and spare as much as possible the feelings of the British troops. At the moment of this surrender, every circumstance was avoided which could be construed into an appearance of triumph. The Americans remained in their lines till the vanquished regiments had piled their arms: the captive generals were received with respect and kindness; a number of the principal officers of both armies met at General Gates's quarters, and seemed to forget in social and convivial pleasures that they had been enemies. The soldiers received rations of fresh provisions from the American commissaries, and proceeded instantly on their march to Boston, having no communication with the American troops, for fear of dispute†.

\* Burgoyne insisted that the word convention, instead of capitulation, should be used, in order to assimilate it to the treaty of Closterseven, in the seven years' war, entered into by the Duke of Cumberland, with a view of saving the disgrace of a common surrender; and by preventing all idea of the troops being prisoners to any power which might afterwards join the Americans, he hoped to get them employed, so as to enable Great Britain to send an equal number of men to America in the spring.

† The number of men surrendered was 5,752, of whom 1,100, being Canadian volunteers, were by the articles permitted to return: 528 were left in the hospital when Burgoyne began his retreat to Saratoga; and it is computed that in the other actions, from the 6th of July to the time of capitulation, the loss in killed, wounded, prisoners, and deserters, was 2,933. The artillery and stores captured consisted of thirty-five brass cannons and mortars, and 7,000 stand of arms, besides the military chest, large quantities of ordnance stores, clothing for 7,000 provincials, tents, and other articles. The papers laid before Parliament illustrative of this campaign, in all its parts, are published in the Parliamentary Register.

Numerous complaints and contradictory allegations and inferences necessarily arose from the conduct and issue of this affair. A co-operation was expected from Sir William Howe, which he was unable to effect, in consequence of his march to Philadelphia. Sir Henry Clinton was afterward solicited to assist; but he was stationed at New York with a small force, limited, in consequence of a misunderstanding between him and General Howe, to a bare sufficiency for defence, and under an express prohibition to undertake any operation which could endanger the city. He received, at a late season, a reinforcement of seventeen hundred recruits from Europe, which enabled him to commence an expedition up the North river, for the purpose of conquering some forts which prevented the passage of British vessels to Albany, and of opening a communication with General Burgoyne, when he should have succeeded in his enterprize, of which at that period he had not intimated a doubt.

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XXXI.

1777.  
Proceeding  
of Clinton.

September.  
Expedition  
up the  
North river.

Three thousand men were convoyed by Commodore Hotham to Verplank's Point, which Lord Rawdon, aid-de-camp to Sir Henry Clinton, had been dispatched to reconnoitre in a frigate, but had not been able to approach sufficiently to ascertain the practicability of landing. It was effected without resistance; and General Putnam, deceived by the feint, hastened to occupy the passes on the eastern shore, with two thousand men, drawn principally from the forts, convinced that Clinton intended pushing through the eastern highlands to aid Burgoyne. The British commander, at day-break, passed over to Stoney Point, with two thousand one hundred men, leaving the remainder to defend Verplanks. They marched across the Donerberg, a steep mountain which overhangs the river, and where, as the pass only admitted three men abreast, a small guard could have impeded their progress; but this precaution had been neglected; the troops having passed, assailed Fort Montgomery and Fort Clinton, divided from each other only by a creek, called Poplop's Kill. Colonel Campbell commanded the attack on Fort Montgomery, which, not

Takes Forts  
Clinton and  
Montgomery.

5th Oct.

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being strongly fortified, was soon taken, without any loss worthy of notice, except that of the brave leader of the division.

Fort Clinton, built on a rocky elevation, could be approached only over a pass, between a lake and a precipice covered with felled trees, and commanded by ten pieces of artillery. It was necessary to assail both the forts nearly at the same time, but to delay the attack on Fort Clinton till the engagement at Fort Montgomery should have become serious. Night favouring the movement of the troops, they proceeded in silence, under a tremendous fire, to the foot of the work, where they pushed each other up into the embrasures. After a short conflict, the rampart was cleared; the Americans, retiring behind the esplanade, fired a last useless volley, and laid down their arms. Notwithstanding this provocation, the assailants shewed a dignified moderation in victory; not a man was slain but those who fell in combat on the ramparts. One hundred and forty British troops were killed and wounded; among the former, were Captain Stewart, Major Skill, and Count Grabowsky, a Polish volunteer, who in his last moments sent his sword to Lord Rawdon, as a testimony that he died in a manner not unworthy the partner of his dangers.

The Americans burn their fleet.

In the river, the Americans had two ships, two gallies, and a sloop, for the protection of which a massy boom, consisting of huge rafts of timber, connected by cables, and an iron chain weighing upward of fifty tons, were stretched across the river, from Fort Montgomery to a mount called St. Anthony's Nose. This bulwark effectually secured the ships from attack by water; but when the forts were taken, their safety was at an end. The captains silently slipped their cables in the dark; but the wind frustrating their attempt to escape, they fired the vessels with all their sails set.

Various detached expeditions.

Fort Constitution was, immediately on the capture of Forts Montgomery and Clinton, destroyed by its commandant; and General Tryon demolished Continental Village, a new settlement, with barracks for

fifteen hundred men; and a flying squadron, under Sir James Wallace, ascending the river, burned a great number of American vessels. A military detachment, led by General Vaughan, landed at Esopus Creek, and, after a slight resistance, destroyed two batteries and an armed galley; the general then continued his march to the town, which he burned to ashes, with a great collection of stores and provisions. This expedition did important injury to the American interest, and was duly acknowledged by government, who declared that the plan of the expedition was most judicious, and that the conduct of Sir Henry Clinton, the officers, and men, did them the greatest honour\*. The troops returned in safety to New York.

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1777.  
30th Oct.  
Burning of  
Esopus.

When Clinton was commencing this spirited undertaking, he wrote to General Howe, imparting his intentions, with his notions of their importance, but without disguising his opinion that the attempt on the forts was desperate, although it might be tried without endangering New York. Alarmed at the vigour displayed by Washington in the attack on German Town, Howe discouraged Clinton's project, and ordered him, unless speedy success were certain, to desist, and dispatch the troops to Philadelphia. This letter, had it been received in time, would have prevented the execution of Clinton's plan. When he had taken the two forts, he was a hundred and thirty-six miles distant from General Burgoyne: soon after his departure from New York, he had received a letter, requesting him to make a diversion, which the operation he was then engaged in was well calculated to effect; but Burgoyne, having yet met with no check, did not solicit aid. The day after the capture of the forts, an officer in disguise arrived; but he only represented, that if Burgoyne did not hear of co-operation by the tenth of October, he should be obliged, by the fear of wanting provisions, to retire to Fort Edward. Clinton would then have advanced to his relief, but found it impracticable to remove the impediments in the river,

Howe's  
orders.

Clinton's  
intelligence  
from Bur-  
goyne.

6th Oct.

\* Lord G. Germaine to Sir H. Clinton, 11th Dec. 1777.

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1777.

9th.

and secure the requisite store of provisions within the time. He had already commissioned General Vaughan to proceed, with seventeen hundred men, as high as his pilots could carry him, to co-operate with Burgoyne, and even join him if necessary. Vaughan had advanced a hundred miles; he was still forty distant from Albany, and must have traversed sixty more to reach Burgoyne; but, soon after the destruction of Esopus, he wrote to Sir Henry Clinton, that he could obtain no certain intelligence, although what he did learn filled him with apprehensions. General Burgoyne's surrender had then already taken place. Had Sir Henry Clinton endeavoured to move forward, General Putnam was in sufficient force to frustrate the attempt; and General Gates's army, flushed with success, had no immediate operation to occupy them after Burgoyne's surrender. He therefore executed all that was possible, according to the state of his information and the extent of his force, in making the diversion, which he expected would have covered the general's retreat to Ticonderoga; but he could not take the forts, penetrate to Albany, and afterward maintain the communication; and General Burgoyne's want of provisions must have obliged him to surrender unless he had a force sufficient to open the country for supplies\*.

\* In this chapter, beside the papers published by authority of Parliament, the histories, particularly the lives of Washington and General Greene, and the periodical works, I have consulted the pamphlets of Sir William Howe, General Burgoyne, Mr. Galloway, and many anonymous writers, and have been assisted by highly valuable private information.

## CHAPTER THE THIRTY-SECOND.

1777—1778.

Meeting of Parliament.—Debates on the address in the House of Lords.—Amendment moved by Lord Chatham.—Incidental debate on the employment of savages in war.—The measure defended by Lord Suffolk.—Animated speech of Lord Chatham.—Amendment rejected.—Debate on the address in the House of Commons.—Committee on the state of the nation, appointed by the House of Lords.—Papers granted.—Similar committee appointed by the House of Commons.—Papers refused.—Debate in the House of Commons on the loss of Burgoyne's army.—Lord Chatham's motion on the subject.—His motion on the employ of savages.—Adjournment.—State of the public mind.—Subscriptions for raising regiments—and for relief of American prisoners.—Conduct of France.—Effect of the Emperor's visit to Paris.—Short war on the death of the elector of Bavaria.—Debates on raising troops by subscription.—Lord Abingdon's motion.—Proceedings in the committee on the state of the nation. Fox's motion that no more troops be sent out of the kingdom.—Similar motion by the Duke of Richmond.—Burke's motion on the employment of savages.—Fox's second motion respecting the army.—Examination of evidence in the House of Lords.—Resolutions moved by the Duke of Richmond.—Motion by the Duke of Bolton respecting the navy.—Lord North's plan of conciliation.—Approved by Fox—opposed.—Progress of the bills through the House of Commons.—Debated in the House of Lords—passed.—Motions on the subject in the Lower House.

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XXXII.

1777.  
18th Nov.  
Meeting of  
Parliament.

IN his speech from the throne, the King declared his satisfaction in having recourse to the wisdom and support of the legislature, at a conjuncture when the continuance of rebellion demanded most serious attention. He had faithfully employed the powers intrusted to him for the suppression of this revolt, and had just confidence in the conduct and courage of his officers ; but it would be necessary to prepare for such further operations as the contingencies of war and obstinacy of the rebels might render expedient. Foreign powers had given strong assurances of pacific dispositions ; but the armaments of France and Spain still continuing, he had considerably augmented his naval force ; being firmly determined never to disturb the peace of Europe, though he would faithfully guard the honour of the British crown. He would steadily pursue the measures in which he was engaged for the re-establishment of that constitutional subordination, which, by the blessings of God, he would ever maintain through the several parts of his dominions ; but he still hoped the deluded and unhappy multitude of America would return to their allegiance : that remembrance of what they once enjoyed, regret for what they had lost, and feelings of what they suffered under the arbitrary tyranny of their leaders, would re-kindle in their hearts a spirit of loyalty to their sovereign, and of attachment to their mother-country ; and that they would enable him, with the concurrence and support of Parliament, to accomplish, what he should consider the greatest happiness of his life, and the greatest glory of his reign, the restoration of peace, order, and confidence to the American colonies.

An address was moved by Earl Percy, and seconded by the Earl of Chesterfield.

The Earl of Coventry, while he claimed for the legislature the supreme controul over every dependency of the empire, was convinced of the extreme absurdity of exciting at first, and the still greater folly of persevering in a contest which, sooner or later, must prove the destruction of this country. He pronounced the

Debate on  
the address  
in the House  
of Lords.

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independence of America, the fall of Great Britain, and the transfer of the seat of empire to the other side of the Atlantic, to be no less certain than the growth of herbage, or the ascent of flame, and advised the House to seek a temporary preservation by making a virtue of necessity: to withdraw the fleets and armies, and declare America independent.

Such suggestions, enforced by such arguments, could have made no impression; but attention was powerfully excited by a motion of amendment from Lord Chatham, desiring the King to take the most speedy measures for restoring peace, and that no time might be lost in proposing an immediate cessation of hostilities, in order to the opening of a treaty for the final settlement of the tranquillity of those invaluable provinces, by a removal of the unhappy causes of this ruinous civil war; and to assure his Majesty that Parliament would most cheerfully co-operate in making most solemn declarations and provisions of fundamental and irrevocable laws for ascertaining and fixing for ever the respective rights of Great Britain and her colonies.

Amendment  
moved by  
Lord Chat-  
ham.

He expressed strong disapprobation of the address, and the fatal measures which it approved. The present was a perilous and tremendous moment! It was not a time for adulation; the smoothness of flattery could not avail, could not save us in this awful and rugged crisis: it was necessary to instruct the throne in the language of truth. Parliament must dispel the mists of delusion, and display, in its full danger and true colours, the ruin brought to their doors. It was customary for the King, on similar occasions, not to lead, but to be guided by Parliament; to ask advice, and not dictate to the hereditary great council of the nation. As it was the right of Parliament to give, so it was the duty of the Crown to ask, counsel. But this speech tells of measures already agreed on, and cavalierly desires concurrence. It talks of wisdom and support; counts on the certainty of events yet in the womb of time; but in plan and design is peremptory and dictatorial. "Is this," he exclaimed, "proper



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“ language? Is it fit to be endured? Is this high  
 “ pretension to over-rule the dispositions of Providence  
 “ itself, and the will and judgment of Parliament,  
 “ justified by any former conduct, or precedent predic-  
 “ tion? No; it is the language of an ill-founded confi-  
 “ dence; a confidence supported hitherto only by a  
 “ succession of disappointments, disgraces, and defeats.  
 “ I am astonished how any minister dare advise his  
 “ Majesty to hold such language; I would be glad to  
 “ see the minister that dare avow it in his place.  
 “ What is the import of this extraordinary application,  
 “ but an unlimited confidence in those who have  
 “ hitherto misguided, deceived, and misled you? It is  
 “ unlimited; desires you to grant, not what you may  
 “ be satisfied is necessary, but what his Majesty’s mi-  
 “ nisters may choose to think so: troops, fleets, treaties,  
 “ and subsidies, not yet revealed.

“ Can the minister of the day expect, can Parlia-  
 “ ment be thus deluded to give, unlimited credit and  
 “ support for steady perseverance in measures which  
 “ have reduced this late flourishing empire to ruin and  
 “ contempt! ‘ But yesterday, and England might  
 “ ‘ have stood against the world; now none so poor to  
 “ ‘ do her reverence.’ The words of the poet are not  
 “ fiction: it is a shameful truth, that not alone the  
 “ power and strength of the country are wasting and  
 “ expiring, but her well-earned glories, her true honour,  
 “ and substantial dignity, are sacrificed. France has  
 “ insulted you; she has encouraged and sustained  
 “ America: and, whether America be wrong or right,  
 “ we ought to spurn at the officious insult of French  
 “ interference. The ministers and ambassadors of  
 “ those who are called rebels and enemies are in  
 “ Paris: in Paris they transact the reciprocal interests  
 “ of America and France. Can there be a more mor-  
 “ tifying insult? Can even *our* ministers sustain a  
 “ more humiliating disgrace? Dare they resent it?  
 “ Do they presume even to hint a vindication of their  
 “ honour and the dignity of the state by requiring the  
 “ dismissal of the plenipotentiaries of America? Such  
 “ is the degradation to which they have reduced the

“ glories of England, who but yesterday gave law to  
 “ the house of Bourbon.

“ No man thinks more highly than I of the virtue  
 “ and valour of British troops; I know they can  
 “ achieve any thing except impossibilities; and the  
 “ conquest of English America is an impossibility.  
 “ You cannot, I venture to say it, you cannot conquer  
 “ America. What is your present situation there?  
 “ We do not know the worst; but we know that in  
 “ three campaigns we have done nothing, and suffered  
 “ much. Conquest is impossible: you may swell every  
 “ expense, and every effort still more extravagantly;  
 “ pile and accumulate every assistance you can buy or  
 “ borrow; traffic and barter with every little pitiful  
 “ German prince that sells his subjects to foreign sham-  
 “ bles; your efforts are for ever vain and impotent;  
 “ doubly so from this mercenary aid on which you  
 “ rely; for it irritates to an incurable resentment the  
 “ minds of your enemies. To overrun them with the  
 “ mercenary sons of rapine and plunder; devoting  
 “ them and their possessions to the rapacity of hireling  
 “ cruelty! If I were an American, as I am an En-  
 “ glishman, while a foreign troop was landed in my  
 “ country, I never would lay down my arms; never;  
 “ never; never!

“ But who is the man that has dared to authorise  
 “ and associate to our arms the tomahawk and scalp-  
 “ ing knife of the savage? To call into civil alliance the  
 “ wild and inhuman savage of the woods; to delegate  
 “ to the merciless Indian the defence of disputed  
 “ rights; and to wage the horrors of his barbarous  
 “ war against our brethren? These enormities cry  
 “ aloud for redress and punishment; and, unless done  
 “ away with, will leave an indelible stain on the  
 “ national honour. The strength and character of our  
 “ army are impaired; infected, by German allies, with  
 “ the mercenary spirit of robbery and rapine, familiar-  
 “ ized to horrid scenes of savage cruelty, it can no  
 “ longer boast the noble and generous principles  
 “ which dignify a soldier; no longer sympathize with  
 “ the dignity of the royal banner, nor feel ‘ the pride,

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“ ‘pomp, circumstance of glorious war, that make ambition virtue!’ What makes ambition virtue? the sense of honour. But is the sense of honour consistent with the spirit of plunder, or the practice of murder? Beside these murderers and plunderers, let me ask our ministers, what other allies have they acquired? What other powers have they associated to their cause? Have they entered into alliance with the King of the Gipsies? Nothing is too low or too ludicrous to be consistent with their counsels!”

Lord Chatham then explicitly stated his repugnance to the independence of America. He would sanction, with his warmest wishes, the struggle of free and virtuous patriots against arbitrary exactions; but a claim of independency and total disconnexion from England, as an Englishman, he could not approve: it was incompatible with the mutual happiness and prosperity of both. America derived assistance and protection from us; and we reaped from her the most important advantages; she was, indeed, the fountain of our wealth, the nerve of our strength, the nursery and basis of our naval power. “It is our duty, therefore,” he said, “most seriously to endeavour the recovery of these most beneficial subjects: and in this perilous crisis alone can we hope for success, while America is in ill-humour with France, on some points that have not entirely answered her expectations. Let us wisely take advantage of the moment: the natural disposition of America still leans toward England; to the old habits of connexion and mutual interest that united both countries.

“I mean to propose a cessation of hostilities, as the first step toward so desirable a work. If this measure is approved, I shall suggest a committee to consider of immediate measures for empowering commissioners to treat on specific terms; and if America should prove deaf to all reasonable overtures, in which the preservation of the act of navigation should be the basis, then it will remain to consider the properest compulsory measures. I think I might safely pledge myself that such an

“ offer would not fail to succeed. Faction reigns in  
 “ some part of America, and, probably, some who  
 “ compose that faction would not swerve from the  
 “ claim of independency. The middle colonies are  
 “ more temperate, and they, and those to the south-  
 “ ward, if they had the security now mentioned, would  
 “ gladly return to their former state. It may be ob-  
 “ jected that no security is offered on either hand for  
 “ performance of the stipulations, should the troops be  
 “ withdrawn, or the levies disbanded. Security is to be  
 “ obtained not by any declarations of right here, or as-  
 “ sertions of it there, but barely by operative acts here,  
 “ consented to, acknowledged, and ratified by the  
 “ several assemblies in America.”

Lord Chatham denied the disposition of foreign powers to be pacific and friendly, drew a deplorable picture of the weak and unprepared condition of the country. “ Not five thousand troops in England! Hardly three thousand in Ireland! Scarcely twenty ships of the line fully or sufficiently manned for any admiral of reputation to command. The river of Lisbon in possession of our enemies! The seas swept by American privateers: our channel torn to pieces by them! Weakness at home, and calamity abroad; terrified and insulted by the neighbouring powers; unable to act in America, or acting only to be destroyed! Where is the man with the forehead to promise or hope for success in such a situation, or from perseverance in the measures that have driven us to it? Who has the forehead to do so? Where is the man? I should be glad to see his face.

“ You cannot conciliate America by your present measures; you cannot subdue her by any measures. What then can you do? You cannot conquer, you cannot gain, but you can address; you can lull the fears and anxieties of the moment into an ignorance of the dangers that should produce them. But the time demands the language of truth; we must not now apply the flattering unction of servile compliance or blind complaisance. To support a just and necessary war, to maintain the rights or honour of

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“ my country, I would strip the shirt from my back :  
 “ but in such a war as this, unjust in its principle, im-  
 “ practible in its means, and ruinous in its conse-  
 “ quences, I would not contribute a single effort, nor a  
 “ single shilling. I do not call for vengeance on the  
 “ heads of those who have been guilty ; I only recom-  
 “ mend retreat ; let them walk off, and let them make  
 “ haste, or speedy and condign punishment will over-  
 “ take them. We have been deceived and deluded too  
 “ long ; but let us now stop short : this is the crisis,  
 “ perhaps the only crisis of time and situation, to  
 “ give us a possibility of escape from the fatal effects  
 “ of our delusion. But if, with an obstinate and infa-  
 “ tuated perseverance in folly, we meanly echo back  
 “ the peremptory words this day presented to us, no-  
 “ thing can save this devoted country from complete  
 “ and final ruin. We madly rush into multiplied mi-  
 “ series, and ‘ confusion worse confounded\*.’ ”

A long and vehement debate ensued ; but the ex-  
 alted character of the speaker, his venerable age, and  
impressive dignity of manner, occasioned those who  
widely dissented from his opinions to treat him with  
profound and flattering respect. Lord Sandwich,  
expressing all these sentiments, asserted, that when  
the matter urged by Lord Chatham should be separated  
from his manner and oratorical powers, it would be  
found to contain nothing that could influence the  
House to refuse the address. He displayed the state  
of the navy in advantageous terms, asserting, from  
authenticated lists, that instead of twenty, as Lord  
Chatham had stated, we had forty-two ships of the  
line in commission, of which thirty-five were com-  
pletely manned, and ready for sea at a moment’s  
warning. He overbalanced British losses by enu-  
merating captures from the enemy, and contended,  
that should France and Spain entertain hostile dis-  
positions, the British force was far superior to any  
they could muster. He should be extremely sorry,

\* In abridging this speech, I have incorporated the report published in the Parliamentary Register with that preserved by Hugh Boyd.—Works, vol. i. p. 283.

if, presiding at the Admiralty board, he ever permitted it to be otherwise. "The noble lord says," he proceeded, "that we have lost the port of Lisbon, and that Portugal is no longer our ally. This information is totally new to me. I know, by the last returns, that the *Invincible*, a seventy-four gun ship, was in that port, and unless his lordship has some secret account that she has been taken by an American privateer, I can hardly credit that we have lost Lisbon." In compliance with our remonstrances, France had issued ordinances forbidding American privateers to enter their ports, and compelled the restitution of prizes. Unjustifiable transactions might have taken place, but the time was not yet come for demanding full reparation. He readily agreed in Lord Chatham's basis of conciliation, the supremacy of the mother-country, and the act of navigation; but did not believe his lordship was so sanguine as to expect acquiescence in them: the majority of those who would vote with him, would not adopt those sentiments.

The assertions of the sufficiency of the navy did not meet with implicit belief; and the first lord of the admiralty was cautioned that he made them at his peril, and was answerable for their truth. Lord Camden analyzed the whole conduct of the war, declaring that if hostilities were prosecuted to the issue of this alternative, shall America be subdued, or shall she render herself independent? he should favour independence, because success in such a war would not only subjugate America, but enslave England.

In this discussion, the defence of ministers was facilitated by the diversities of opinion among those who supported the amendment: great pains had been taken before the meeting of Parliament, and they were afterward continued, both by conferences and correspondence, to give an uniform impulse to the efforts, and to smooth down all the discordant opinions, of both Lords and Commons in opposition; but, although a general co-operation was assured, particular and im-

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Observations  
on the employ-  
ment of sa-  
vages in war.

portant differences could not altogether be reconciled\*. Respecting the independence of America, they could form no common principle of concord: the hopes and terms of submission were equally doubtful; the prospects of obedience and limits of concession were not defined; and Lord Chatham was successfully assailed on the difference of his present opinions from those he had maintained in the last session, on the dignified position which Great Britain ought to assume, if French interference were so much as intimated.

In one point, the Lords in opposition were in perfect accord; they declaimed, with uniform violence, on the employment of savages, and arming slaves against their masters. The Duke of Richmond styled the inhumanity of the war shocking to every feeling of a Christian and a man: it claimed the vengeance of the Deity: the savages would not only torture and kill, but literally eat their prisoners. The ferocity and licentiousness of foreign and Indian auxiliaries would corrupt the soldiers of Britain. Such an army, on its return, might totally subvert the remains of freedom. If disbanded, the soldiers would become a lawless banditti; if kept together, a most dangerous weapon in the hands of ministers who had shewn so little regard to the rights of freemen.

Lord Chatham approved these observations. "The House, the Parliament, the nation at large," he said, "ought to have the opportunity of clearing themselves of that heavy load of black and bloody imputed guilt under which they suffer. I pledge myself to set on foot an enquiry into the state of the nation; and, as one of its leading objects, I shall endeavour to discover who were the authors and advisers of letting loose those blood-hounds and hell-hounds, the savages of America, upon our brethren. I hope to stamp a proper mark both on the illegality and inhumanity of this satanic measure; and, I trust, I shall have the pious assistance of the sacred bench, and the no less constitutional and efficacious aid of

\* Correspondence of the Earl of Chatham, vol. iv. p. 450 to 484.

“ the sages of the law, to drag the authors into broad  
“ day-light, and inflict condign and exemplary punish-  
“ ment.”

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Lord Suffolk repeated that the Americans had emissaries among the savages, and would gain them if we did not; and it was perfectly justifiable, in such a war, to use every means that God and nature had put into our hands.

Defended by  
Lord Suffolk.

“ I am astonished,” Lord Chatham exclaimed, indignantly rising. “ I am shocked to hear such principles confessed, to hear them avowed in this House, or in this country: principles equally unconstitutional, inhuman, and unchristian! My lords, I did not intend to have encroached on your attention; but I cannot repress my indignation, I feel myself impelled by every duty; we are called upon as members of this House, as men, as Christian-men, to protest against such notions standing near the throne, polluting the ear of majesty. ‘ That God and nature put into our hands:’ I know not what ideas that lord may entertain of God and nature, but I know that such abominable principles are equally abhorrent to religion and humanity. What! attribute the sacred sanction of God and nature to the massacres of the Indian scalping knife, to the cannibal savage, torturing, murdering, roasting, and eating—literally, my lords, eating the mangled victims of his barbarous battles! Such horrible notions shock every sentiment of honour; they shock me as a lover of honourable war, and a detester of murderous barbarity. These abominable principles, and this more abominable avowal of them, demand the most decisive indignation. I call upon the right reverend bench, those holy ministers of the gospel, and pious pastors of our church: I conjure them to join in the holy work, and vindicate the religion of their God: I appeal to the wisdom and the law of this learned bench, to defend and support the justice of their country. I call upon the bishops to interpose the unsullied sanction of their lawn; upon the learned judges to interpose the

Animated  
speech of  
Lord  
Chatham.



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“ purity of their ermine, to save us from this pollution :  
 “ I call upon the honour of your lordships to reverence  
 “ the dignity of your ancestors, and to maintain your  
 “ own : I call upon the spirit and humanity of my  
 “ country, to vindicate the national character : I invoke  
 “ the genius of the constitution ! From the tapestry  
 “ that adorns these walls, the immortal ancestor of this  
 “ noble lord\* frowns with indignation at the disgrace  
 “ of his country. In vain he led your victorious fleets  
 “ against the boasted armada of Spain ; in vain he de-  
 “ fended and established the honour, the liberties, the  
 “ religion, the Protestant religion of this country, against  
 “ the arbitrary cruelties of Popery and the inquisition :  
 “ if these more than popish cruelties and inquisitional  
 “ practices are let loose among us ; to turn forth into  
 “ our settlements, among our ancient connexions,  
 “ friends and relations, the merciless cannibal, thirsting  
 “ for the blood of man, woman, and child ! to send  
 “ forth the infidel savage, against whom ? against your  
 “ Protestant brethren ; to lay waste their country, to  
 “ desolate their dwellings, and extirpate their name  
 “ and race ; with these horrible hell-hounds of savage  
 “ war ! hell-hounds, I say, of savage war. Spain  
 “ armed herself with blood-hounds to extirpate the  
 “ wretched natives of America ; and we improve on  
 “ the inhuman example of Spanish cruelty ; we turn  
 “ loose these savage hell-hounds against our brethren  
 “ and countrymen in America, of the same language,  
 “ laws, liberties, and religion ; endeared to us by every  
 “ tie that could sanctify humanity. This awful subject,  
 “ so important to our honour, our constitution, and our  
 “ religion, demands the most solemn and effectual  
 “ enquiry : and I again call upon your lordships, and  
 “ the united powers of the state, to examine it tho-  
 “ roughly and decisively, and to stamp upon it an  
 “ indelible stigma of public abhorrence. And I again  
 “ implore those holy prelates of our religion to do  
 “ away those iniquities from among us. Let them

\* Lord Effingham.—Lord Effingham Howard was Lord High-Admiral of England against the Spanish Armada ; the destruction of which was represented in the tapestry.

“ perform a lustration ; let them purify this House,  
 “ and this country, from this sin. My lords, I am old  
 “ and weak, and at present unable to say more : but  
 “ my feelings and my indignation were too strong to  
 “ have said less ; I could not have slept this night in  
 “ my bed, nor reposed my head on my pillow, without  
 “ giving this vent to my eternal abhorrence of such  
 “ preposterous and enormous principles\*.”

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A conversation ensued, in which it was proved by the avowal of Lord Townshend and Lord Amherst, that Indians were employed in the last war, both by the French and English ; but Lord Chatham, while he allowed the fact, denied that the measure had been authorised by administration.

The amendment was rejected†, and a short unimportant protest was signed by only two peers.

Amendment  
 rejected.

In the House of Commons the address was moved by Lord Hyde, and seconded by Sir Gilbert Elliot ; the amendment by the Marquis of Granby and Lord John Cavendish : the members of opposition no longer persevered in their secession, but many of them took a part in debate. Mr. Wilkes, in a long address, reprobated all the measures of government, denounced the war as unnatural, unjust, barbarous, and tending to our utter destruction. He compared the proclamation of General Burgoyne to the edict of the Prophet Samuel, who commanded the King to smite Amalek, and slay man and woman, infant and suckling, ox and sheep, camel and ass. Since the late augmentation of the civil list, the House seemed to be wonderfully improved in chirping addresses ; but this was not a piping time of peace. An universal gloom overspread the nation ; the only ray of light to cheer it was an immediate cessation of arms. Alderman Bull, Serjeant Adair, Sir Philip Jennings Clarke, and Mr. Temple Luttrell spoke in strains of similar invective. Mr. Burke and Mr. Fox, with equal earnestness, supported the same opinions ; mixing with strong arguments much severe and caustic ridicule. Lord North said he

Debate in  
 the House  
 of Commons.

\* From Boyd's Works, vol. i, p. 305.

† 84 to 28.

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1777.

21st.  
Debate on the  
report of the  
address.2nd Dec.  
Committee  
on the state  
of the nation,  
appointed  
by the House  
of Lords.Papers  
granted.

heard now, for the first time, of General Burgoyne putting man, woman, and ass to the sword. As to the war itself, no man wished more than he did for its termination; but he was convinced that the moment of accommodation must be the moment of victory. The division was against the amendment\*.

On bringing up the report of the address, the debate was renewed, but with no distinguishing circumstances of force or novelty. It was agreed to, after a division†.

At the request of the Duke of Richmond, the House of Lords was called, on a motion for a committee to enquire into the state of the nation. All military events, he said, must equally contribute to render a termination of the present ruinous war desirable. Should brilliant successes annihilate American resistance, we must still be sorry to see Englishmen under the edge of the sword, and governed by military power. Disgrace would only confirm the frequent predictions, that to reduce America by force of arms was impossible; but alternate failures and indecisive successes would be attended with worse consequences, by tempting further trials, and exhausting the nation still more in a contest which, from the nature of things, could not prosper. The inquiry would be extensive; it included every topic, and would be open to all. The peculiar, though not exclusive, objects in view were to state to the nation the expense of blood and treasure already incurred; to inquire into the conduct of the war, and the measures adopted for restoring peace. He fixed the second of February for the discussion, and, that sufficient information might be obtained, moved for a number of papers relative to the army, navy, and colonies, to which the Duke of Bolton and other peers made some additions, and the Duke of Grafton required an account of the national debt during the seven preceding years. Lord Chatham and the Duke of Bolton made many observations on the navy, which were fully answered by Lord Sandwich: the state of Gibraltar

\* 243 to 86.

† 174 to 47.

was described as most unsatisfactory ; there was not, Lord Chatham asserted, a second relief in case of an attack ; not force sufficient to man the works while those fatigued with the service went to refresh and repose themselves, although Germany and the wilds of America had been ransacked for reinforcements. These observations were explicitly refuted by Lord Townshend, who maintained that at no preceding time had the works of that fortress been in so complete a state ; and, when they were all finished, it would be rendered nearly impregnable. The Duke of Bolton required a state of the numbers and condition of the ships in ordinary ; but, being upon obvious principles resisted, his motion was withdrawn. Most of the papers demanded by the Duke of Richmond were granted.

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On the same day, Mr. Fox introduced a similar proposition, pointing to the same objects. Many collateral enquiries, he said, would arise ; and if it should appear that the nation was in a bad state, and the late and present measures of administration had reduced it to the extremity of which he was apprehensive, a new system must be adopted, and new ministers appointed ; but if the contrary, the present system should be continued, and the present ministers remain in power ; for none, he was assured, but the present ministers, could prosecute the present system.

Similar committee appointed by the House of Commons.

The motion for a committee was carried without a division ; but Lord North opposed a subsequent demand for papers, alleging the impropriety of making discoveries prejudicial to the true interests of the country.

Mr. Burke complimented the minister's candour and generosity in agreeing to the first motion ; but compared his subsequent conduct to that of a man who executes a bond, but inserts a defeasance with a power of revocation, retracting every grant he had made. This conduct reminded him of the situation of Sancho Panza in the government of Barataria ; a table plentifully provided was placed before him, but on various

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pretences every dish was removed, and the unfortunate governor obliged to dispense with his dinner.

Mr. Dunning contended in favour of the demand; and the Attorney-general was answering his arguments, when intelligence was circulated in a whisper, that the very papers in question were granted on the motion of the Duke of Richmond. Mr. Thurlow was for a moment disconcerted, but declared, whatever might be the conduct of ministers, he, as a member of Parliament, never would give his vote for making public the circumstances of a negotiation during its progress.

Lord North, somewhat irritated at a triumphant laugh which prevailed among the members of opposition, said, "Whatever effect the anecdote might have on the House, he should adhere to his former opinion. It was disorderly to mention the decisions of the Lords to influence the determination of the Commons; who, as an independent body, should not change their sentiments on a mere unauthenticated report."

Governor Johnstone and Colonel Barré bantered the minister on the unusual circumstance of losing his temper; Mr. Fox said, the only argument against complying with his motion was invalidated by the resolution of the upper House; the disclosure of a secret negotiation was no longer to be dreaded, for no secret could now be kept. He would not recede from the literal extent of his motion\*.

The debate assumed a new complexion, from a ju-

\* In the course of this speech, Mr. Fox, with considerable pleasantry, compared Lord George Germaine to Dr. Sangrado. "For two years that a certain noble Lord has presided over American affairs," he said, "the most violent scalping tomahawk measures have been pursued: bleeding has been his only prescription. If a people deprived of their ancient rights are grown tumultuous—bleed them! If they are attacked with a spirit of insurrection—bleed them! If their fever should rise into rebellion—bleed them! cries this state physician: more blood! more blood! still more blood! When Dr. Sangrado had persevered in a similar practice of bleeding his patients, killing by the very means he used for a cure, his man took the liberty to remonstrate on the necessity of relaxing in a practice to which thousands of their patients had fallen sacrifices, and which was beginning to bring their names into disrepute. The doctor answered, I believe we have indeed carried the matter a little too far, but you must know I have written a book on the efficacy of this practice; therefore, though every patient we have should die by it, we must continue the bleeding for the credit of my book."

ditional speech by Governor Pownall. He thought the papers, from the commission down to the lowest draft, unworthy of attention, so far as respected the subject of peace. Even the act of parliament was of no import to that point; for it did not empower government to treat with the Americans but as subjects. Enquiries had been made whether Lord Howe had power to treat; or did the Americans refuse? Lord Howe could have no powers to negotiate on the only ground which they insisted on taking, and which they resolutely maintained, not only then, but five months afterward. When General Howe had finished his campaign of 1776, the Congress instructed their commissioners at the several courts in Europe to give assurances, that, notwithstanding "the artful and "insidious endeavours of the British court to represent the inhabitants of the United States as having "a disposition again to submit to the sovereignty of "England, it was their determination, at all events, "to maintain their independence." Declaring himself as much uninfluenced by party connexions as he had been nine years ago, when he predicted the precise progress of American resistance, he said, "I now "tell this House and government, that the Americans never will return to their subjection. Sovereignty is abolished and gone for ever; and the "navigation act annihilated. Of what use then are "these papers? Of what import our debates? Disputation and abuse may afford amusement; but "neither America nor England can be benefited by "such discussions in this pressing crisis. Until the "House shall be disposed to treat with the United "States as independent, sovereign people, schemes or "plans of conciliation, whoever may suggest them, "will be found unimportant."

The papers were refused\*.

Early attention was paid to the estimates: the number of seamen was fixed at sixty thousand; and the troops to be employed in America at fifty-five thousand. These votes were not passed without se-

Papers refused.  
26th Nov.  
Estimates.

\* 178 to 89.

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1777.

3rd Dec.  
Debate in  
the House of  
Commons on  
the loss of  
Burgoyne's  
army.

vere animadversions on the mode of conducting every branch of the service.

About this time, the intelligence of disasters in America, although not officially announced, began to transpire; and, in one of the debates, Colonel Barré interrogated the American secretary of State, what, upon his honour, was become of General Burgoyne and his brave troops; and whether he had not received, from Quebec, information of his having surrendered with his whole army?

Lord George Germaine professed his desire to give the most early and authentic intelligence of any transaction within his knowledge; and, although the recital must give him pain, he avowed the receipt of expresses from Quebec, with the unhappy intelligence; it was, however, unauthenticated, and he could not declare it officially. He hoped the House would suspend their judgment both on the general and the minister. He was ready to submit his conduct in planning the expedition to investigation: if it appeared impotent, weak, and injurious, let the censure fall on him.

Colonel Barré thundered forth an invective against the cool and easy manner in which the secretary of state related the fate of the brave Burgoyne, and his assurance in insinuating that a portion of censure might be imputed to the general. The man who planned the inconsistent, impracticable expedition, was alone to blame; it was unworthy of a British minister, and rather too absurd for an Indian chief. This precedent was followed by Mr. James Luttrell, Mr. Burke, Mr. T. Townshend, and Mr. Fox.

The solicitor-general reconciled the country gentlemen to the disaster by appealing to British magnanimity in distress; the certain harbinger of victory. Misfortunes equally discouraging had in former times produced substantial advantages: at Brihuega, General Stanhope was forced to surrender himself and his army prisoners of war; yet the disgrace only served to raise an enthusiastic ardour, which soon effaced the stigma.

Lord North declared that no man had, from the beginning, been more sincerely desirous of peace; if the surrender of his place, into which he had been dragged against his will, would obtain it, he would cheerfully resign; but, while he retained possession, he would support it to the best of his power. He recalled the attention of the House to the business of the day, by observing, that whether the desire of peace or war prevailed, the present supply was absolutely necessary. It was granted; and a motion by Mr. Fox for copies of instructions to General Burgoyne and Sir William Howe was negatived.

Lord Chatham introduced the same subject in the House of Lords, by descanting on the difference of the speech which opened the session, and the intelligence which had followed. He had the last speech from the throne in his hand, and a deep sense of the public calamity in his heart: they would co-operate to enforce and justify the measure he meant to propose. He was concerned to say, the speech contained an unfaithful picture: it exhibited a specious outside, full of hopes; while, in fact, all foreign and domestic transactions were replete with danger, and calculated to inspire melancholy forebodings. It was customary to offer addresses of condolence on public misfortune, as well as of congratulation on public success, and he never recollected a period at which such an address could be more seasonable or necessary. He lamented the disaster of General Burgoyne; he might, or might not, be an able officer; but probably his fate was not proportioned to his merit: he might have received orders which he could not execute. Neither should ministers be prematurely condemned; they might have given wise instructions, which, although faithfully and judiciously fulfilled, had miscarried. Many events cannot be provided against by human foresight, and on that ground he meant to frame his motion. The system introduced within the last fifteen years at St. James's, of breaking all connexion, and extinguishing all principle, had enabled a few men to acquire ascendancy where no personal ascendancy should exist. Thus, to pliable

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1777.

5th Dec.  
Debate in  
the House  
of Lords.



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men, not capable men, was the government of this once glorious empire intrusted. The spirit of delusion had gone forth; the ministers had imposed on the people; Parliament had been induced to sanctify the imposture. False lights had been held out; the country gentlemen had been seduced to support a most destructive war, under an impression that the land-tax would be diminished by an American revenue. The visionary phantom, thus conjured up for the basest of purposes, that of deception, was about to vanish. The King's speech abounded with absurdity and contradiction. In one part, it recommended vigorous measures, pointing to conquest or unconditional submission; while, in another, it pretended that peace was the real object, as soon as the deluded multitude should return to their allegiance. This was gross and insolent delusion. By this strange mixture of firmness and pretended candour, of cruelty and mercy, of justice and iniquity, this infatuated nation had been misled.

After retracing much of the ground occupied by his former speeches, and insisting that the plan of penetrating into the colonies from Canada was a wild, uncombined, and mad project, he dwelt in exaggerated terms on the importance of America. Those colonies, he argued, had occasioned the rise in the value of estates; had been the great support of the country; had produced millions; afforded soldiers and sailors; given our manufacturers employment; and enriched our merchants. Ministers had insidiously betrayed the country into a war with America; and what were the fruits? Let the sad catastrophe of Burgoyne speak.

His Lordship, in a digression, adverted to the language held in print, and in that House by a reverend prelate\*, reprobated the tory principles he had maintained, and trusted he should yet see the day when those pernicious doctrines would be considered and treated as libellous; they were the doctrines of Atterbury and Sacheverel; as a whig, he should never en-

\* The Archbishop of York.

dure them; and doubted not the author would suffer due censure and punishment. He concluded by moving an address for copies of all orders and instructions to General Burgoyne.

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1777.

This motion was rejected\* on two grounds: first, the intelligence, although it had every appearance of authenticity, was not official; secondly, the disclosure of all instructions to General Burgoyne might betray transactions not proper to be revealed, and prove materially injurious to individuals. If it was true that the General was prisoner, the terms of his release were equally true; and his return to England might be daily expected. His own account would throw more light on the subject than any information in the power of ministers to afford, and would be obtained in a shorter time than would be requisite to select and arrange the papers demanded.

On this favourable occasion, the employment of savages, a matter so fertile in topics of declamation, and so independent of facts, could not fail of being resorted to. When the required papers had been refused, Lord Chatham moved for copies of all orders and treaties relative to the employment of these auxiliaries, and of the instructions given by General Burgoyne to General St. Leger. The numerous invectives on this subject, vented since the beginning of the session, had excited great personal rancour, and the debate was conducted with unusual acrimony. Earl Gower having accused the mover of inconsistency in reprobating measures which he had sanctioned in the last reign, Lord Chatham denied that he had ever, in his official capacity, authorized the employ of savages; and George II, he believed, had too much regard for the military dignity of his people, and too much humanity, to agree to such a proposal. He accused Lord Gower of quibbling, and spoke contemptuously of his means of information. What right had he to comment on political proceedings? Where was he when these transactions were conducting? Immersed

Lord Chatham's motion on the employment of savages/

\* The numbers were 40 to 19.

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in pleasure, and indulging in all the variety of dissipation to which young noblemen were too apt to devote themselves.

Lord Gower retorted these unwarrantable liberties of speech with great heat; the insinuations, he said, were illiberal, unmanly, and untrue. In support of his assertion, relative to Lord Chatham's ministerial conduct, he produced from the journals of the House the recognition of a treaty with an Indian nation, one condition of which was that they should kill and scalp every Frenchman who came within their country; and the French, he observed, were not more hostile than the rebels of America.

This altercation was of long duration: the warmth of Lord Gower was more than adequately encountered by the polished raillery and dignified sarcasm of his antagonist; but the fact in debate was incontestably ascertained. Lord Amherst avowed that he had followed the example of the French in employing savages, which he would not have done without the sanction of express orders, which, with his Majesty's permission, he had no objection to produce. Lord Shelburne contended that the orders might have proceeded from the board of trade, in whom the superintendence of such treaties was vested; but this presumptive apology was invalidated by Lord Denbigh, who, calling Lord Chatham the great oracle with a short memory, observed it could never have happened that he, who, when minister, had always contended for guidance and direction, should permit such an intrusion in the affairs of his own office.

Lord Dunmore placed the exertions of the Americans in Virginia to employ the Indians beyond a doubt, by relating the particulars of a conference between their agents and some of the tribes, when, in answer to their propositions, an indignant chief exclaimed, "What! shall we fight against the great King over the water, who in the last war sent such large armies, and so much money here, to defend you from the devastations of the French, and from our attacks?" "No; if you have so little gratitude, we will not assist

“ so base a purpose. The Virginians,” he added, “ thus disappointed, dressed some of their own people like Indians, with a view to terrify the forces under my command; and I heartily wish more Indians were employed, as the Americans far exceed them in barbarity.” He then adduced many instances to prove that the colonists did not even affect humanity, but were most industriously cruel, most wantonly inhuman.

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Lord Chatham’s motion was negatived\*.

Negatived.

After the transaction of some ordinary business, and the discussion of several motions, framed only for the purpose of embarrassing administration, an adjournment till the twentieth of January was moved by Lord Beauchamp, but strongly objected to. A recess of six weeks was considered highly improper in a situation so critical, and members should be ashamed to face their constituents after voting a neglect of their interests at this momentous period. Mr. Burke proposed, as an amendment, to adjourn only for a week. The reply of ministers was short: they had transacted all the usual business, and felt no apprehensions from foreign powers; no material progress could be made in the field, or in negotiation; and if any matter of importance could be suggested, the committee on the state of the nation, to whom it should be addressed, would not sit till February.

10th Dec.

Adjournment  
of the House  
of Commons.

These reasons prevailed, and the amendment was negatived†.

The motion for adjournment was no less strenuously opposed in the upper House. Lord Chatham, with grief and astonishment, heard it made at a time when the affairs of the country presented prospects full of awe, terror, and impending danger; when events of a most alarming tendency, little expected or foreseen, would shortly happen, when a cloud was ready to burst and overwhelm the nation in ruin. Could Parliament trust, during an adjournment of six weeks, to men who had occasioned such calamities, when per-

11th Dec.  
In the House  
of Lords.

\* 40 to 18.

† 155 to 68.

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XX XII.

1777.

haps the utter overthrow of the kingdom was plotting, nay, ripe for execution, without almost a possibility of prevention? A remonstrance should be carried to the throne. The King was deluded by his ministers; they were deceived by false information, or sanctioned suppositions which they knew to be untrue. He treated at large on the necessity of domestic defence, intimating the certainty of approaching danger, and descanted with force on the impracticability of reducing America; the delusive speculations on that subject; the fate of General Burgoyne's army; the magnanimity of the victors; the numerous perils which threatened the kingdom; and the probability that, before the expiration of six weeks, the noble earl, who proposed the adjournment, would have just cause to repent of his motion.

The adjournment was vindicated on the same grounds as in the House of Commons, with the additional argument, that as that branch of the legislature had acceded to the recess, no advantage could accrue from a protracted sitting of the Lords: the motion was carried\*.

State of the  
public mind.

During the recess, both ministerial and opposition parties had displayed an earnest disposition to conciliate the public and secure popularity. The sensation occasioned by the protraction of American resistance, and the unfavourable intelligence recently received, presented means of making impressions unfavourable to administration, which were eagerly embraced. Before the meeting of Parliament, the public began to long for peace; the alarms excited during the early part of the session carried that inclination to an extravagant height; the mortifying disaster of General Burgoyne for a time increased the clamour†; but the predictions of ministers, that the public spirit would insure a remedy for this calamity‡, were speedily verified. The nation seemed anxious to shake off the turpitude of depression. Liverpool, Manchester, Edin-

\* 47 to 17.

† See Gibbon's *Posthumous Works*, vol. i. p. 529, 530.

‡ See *Lords' Debates*, 5th December, 1777.

burgh, and Glasgow, each raised a regiment; and several independent companies were levied in Wales. The livery of London and corporation of Bristol refused to co-operate in these laudable efforts; but the liberality of individuals compensated for the caution of the chartered bodies; large sums were subscribed for completing these patriotic levies, and fifteen thousand soldiers were by private bounty presented to the state\*.

The stores of benevolence were not all poured out in the cause of the country. The prisoners we had made by sea or by land were not, as in international wars, open to the benefits of a system of exchange; nor was the manner in which they should be treated a question exempt from great difficulties. According to mere abstract rules of law, they might be deemed rebels taken in arms; but against such a system, expediency advanced irresistible arguments. The Americans, from the beginning of the contest, had abundant means in their hands, and no indisposition in their hearts, to carry the law of retaliation to its extremest bounds. When first they began to equip privateers and make prizes, the crew of one of their vessels, consisting of seventy-three men, was sent to England, by the advice of General Howe, in the hope that uncertainty on their fate would have a discouraging effect on others; but General Washington, confident in the number and rank of the prisoners in his power, declared that he would retaliate on them any treatment which the captives in his cause might experience. He also proposed an exchange; but General Howe had not sufficient powers to make any arrangement†. Franklin and Deane had also applied to Lord Stormont on the same subject; but the English ambassador, properly viewing the offer as an attempt to gain from him an accredited character, which no other power had yet conceded, at first returned no answer; and, on being pressed, replied "that the King's ambassador would receive no letter from rebels, but when

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Subscriptions  
for raising  
regiments.

Subscriptions  
for the Ameri-  
can prisoners.  
11th Dec.

\* History of Lord North's Administration, p. 295.

† Dispatches from General Howe, 19th Dec. 1775, and 6th Jan. 1776.

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"they came to implore his Majesty's pardon." They also raised unfounded complaints of the treatment experienced by American captives, and threatened severe reprisals\*. These complaints became the subject of a motion in the House of Lords, that the American prisoners were treated with savage inhumanity in British prisons. The state of captives ever affords ready grounds of animadversion; and the manners of jailors are rarely calculated to repel, by presumptive evidence, the facts adduced; yet, although some slight instances of ill-treatment, resulting rather from habitual carelessness than malignant design, might be substantiated, it was not even insinuated that Government ordered or warranted the wanton exercise of power, either in regard to food, fuel, or personal treatment. To alleviate their distresses, a subscription was promoted with all the zeal of party; the sum raised was not abundant, but the complaints immediately ceased: the subject was afterwards slightly noticed by Lord Abingdon, who, on a short explanation, withdrew his motion†.

Conduct of  
France.

Lord Chatham's intimations of the hostile negotiations in France, the dissatisfaction of the American agents, and the possibility of still averting the junction of the colonies with the natural enemy of Britain, were well founded; although his advice to prevent the independency of America was not practicable. During the whole summer, the prevalence of the American cause became more and more discernible in France and in all countries connected with her. Exultation at every event which could be considered favourable to America and injurious to Great Britain, was open and undisguised. In the preceding spring, Arthur Lee, formerly agent from America in London, was dispatched by the Commissioners of Congress to Vienna, for the purpose of being introduced, under the sanction of the French ambassador, to the Austrian minister, and of arranging a treaty, or at least purchasing war-

March.

\* Lord Stormont to Lord George Germaine, 3rd April, 1777. Franklin's *Memoirs*, vol. i. p. 313.

† Debates in the House of Lords, 2nd March, 1778.

like stores. The connexion between the Americans and France was not sufficiently intimate to make M. De Breteuil, the French ambassador, insist on his reception among people of distinction; he therefore, after a short stay, pursued his route to Prague, Dresden, and Berlin. In the autumn, his return with an authenticated commission was publicly mentioned; and, notwithstanding the repugnance expressed by Prince Kaunitz to receive a man whom he described as a diplomatic adventurer, De Breteuil pressed his introduction with irresistible perseverance, and obtained for him some slight public notice; though all his address was unable to conquer the inflexibility of the Empress-Queen and the Emperor, or to obtain from Kaunitz more than the gloomy civility of a silent bow.

In fact, the late visit of the Emperor to Paris had not produced the expected effects. The French court viewed their illustrious guest with jealousy and constrained admiration: the dread of Austrian greatness, under such a monarch, destroyed that factitious friendship which both parties had been endeavouring to foster and bring to maturity during upwards of twenty years. All the arts of dissimulation were employed by France to conceal the change; but the Emperor returned to Vienna, impressed with a conviction that the House of Bourbon was not his natural friend, and that the cabinet of Versailles was jealous of his talents, and averse to their attaining full scope on the demise of the Empress. This was not the only advantage which he reaped from seeing the theatre of France behind the scenes; he learnt to distinguish its real strength from its artificial machinery and outward decoration. He returned with a just idea of the fallacy of Bourbon friendship, and an indifferent opinion of the genius of the French nation, and of their power to preponderate in the scale of Europe, either as friend or foe.

On the death of the Elector of Bavaria, at the close of the year, the inherent opposition of interests between the houses of Austria and Bourbon was displayed through all the flimsy disguise under which art,

The Emperor's  
visit to Paris.

Short war on  
the death of  
the Elector of  
Bavaria.



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Artifices of  
France.Detected by  
the Emperor.

address, and female connexions, had long endeavoured to conceal it. The imperial cabinet thought the moment favourable, and their right well founded, to extend their possessions on the Danube and toward the Rhine. France, on the other hand, could not remain insensible of the danger to her which might arise from such an acquisition. From that instant, the secret support of Prussia, in a new war, became the object of her wishes, and the source of a thousand insidious intrigues in the empire; yet, with an effrontery, the extent of which is hardly credible, France pretended still to shew herself the friend of Austria, and continued to wear the mask during the short war which ensued between that power and Prussia, as well as throughout the whole negotiation at Teschen, by which it was terminated. At the conclusion of peace, she flattered herself with having reconciled three of the most difficult, and, to all appearance, incompatible points of state artifice; serving the views and interests of Prussia; keeping up at the same time the friendship and confidence of Austria; while she likewise succeeded to a considerable degree in loosening the ties of friendship which had so long subsisted between the Czarina and Great Britain. The Emperor, however, soon discovered and traced with indignation every step of this base duplicity, and appeared to entertain a desire of renewing the connexion between Austria and England, if it could be done without risking a war, in which he must make great sacrifices without the hope of obtaining any effectual assistance, and from which he was equally restrained by financial and domestic considerations\*.

These transactions were rather vexatious to the British ambassador than important in themselves; but the conduct of the French ambassador, as well as all corresponding circumstances, strongly impressed a belief that hostilities against England were only deferred till success should confirm the independence of

\* From private information and correspondence, and the State Papers. Also Coxe's History of the House of Austria, vol. iii. c. 42. And for the war on the Bavarian succession, Œuvres Posthumes de Frederic II, tome. iv. pp. 161, 173, et seqq.

America, and render the espousal of her cause less insecure. The contest between Spain and Portugal had afforded to France an unexceptionable opportunity of augmenting her marine establishment; and, in the usual style preparatory to hostilities, she began to complain of injuries and insults from British cruizers, and to disseminate reports of an inevitable rupture.

These circumstances were in part adverted to in the King's speech; but the ministry were yet obliged to await events, without appearing to notice their progress. No overt act of hostility justified a declaration of war; nor were any reasonable prospects held out for regaining America at a less price than the sacrifice of every object of contention.

The levy of troops by subscription was the first important object which claimed the attention of Parliament after the adjournment. Sir Phillip Jennings Clerke moved for an account of the number raised, and the names of the commanding officers.

22nd Jan.  
Debates on  
raising  
troops by  
subscription.

In the debate, the minister was severely censured for the length of the recess, while he was engaged in so momentous a measure as that of equipping fifteen thousand men, without consent of Parliament; a precedent which would justify the unconstitutional incorporation of an indefinite number. He was compared to Pericles, who, exhausted with misfortune, wasted with disease, and lingering in pain, walked abroad, bedecked with amulets, charms, and saws of old women. The loan, unfilled and unpaid, was his disease; and the charitable contributions his amulets and charms. Voluntary donations might be fairly interpreted as proofs of a people's affection, but were no less indicative of their real poverty. Private and public life exhibited pregnant proofs that solicitations on one hand, or benevolences on the other, were the common effects of pride, penury, and pity. Persons might be mean from choice, naked from madness; but rags discovered an involuntary meanness, or a poverty willing to be concealed.

The minister insisted that no contempt was thrown on Parliament, nor any violation of the constitu-

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tion committed; that the American war was just and popular, and the offers to the crown perfectly constitutional. The Americans denied the right of the supreme legislature, and maintained their cause by arms; a loyal part of His Majesty's subjects, abhorring such an unnatural rebellion, had, in proof of those sentiments, offered their persons and purses in support of the constitutional rights of their country. The motion was granted.

Sir Phillip Jennings Clerke repeated his objections when supplies were demanded for clothing the new troops; and the debate was renewed on the report of the committee. Several members of opposition indulged in rancorous reflections against the people of Scotland, and blamed the appointment of officers, in which the forms of military service had been violated. The subscriptions were said to be filled by expectants, contractors, merchants, and manufacturers, who had their own separate interests in view, and converted public spirit into a job. The right to raise troops by private donations, it was contended, must justify maintaining them; in such a case, it would be in the power of a bad king and a bad parliament to apply the money thus raised to the subversion of the constitution. This mode of obtaining money for the King's use was a breach of the coronation oath, and all who subscribed were abettors of perjury.

Government was justified by precedent; several regiments, independent companies, and corps, having been raised in 1745 and 1759; and the subscribers on the latter occasion, instead of being treated as violators of the law, were publicly and solemnly thanked by the then minister, Lord Chatham, and applauded by the public. That great man, Lord Hardwicke, had also highly approved of procuring men from Scotland: the prevalence of a contrary opinion would have prevented the recruiting of the army, frustrated the hopes of success, and diminished the resources of the country.

17th Feb.  
Norfolk pe-  
tition.

The freeholders of Norfolk founded on these levies a petition to the House of Commons; and, at an advanced period of the session, Mr. Wilkes moved to

bring in a bill for preventing the dangerous and unconstitutional practice of giving or granting money to the Crown, as a private aid, loan, benevolence, or subscription, for public purposes, without consent of Parliament. The proposition was ably supported by Mr. Burke, but negatived on a division\*.

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1778.  
2nd April.  
Wilkes's  
motion.

In the upper House, the Earl of Abingdon made a motion for obtaining an opinion of the twelve judges on the legality of raising troops without the authority of Parliament; but, after a long discussion, it was withdrawn at the instance of his friends.

23rd and  
27th Jan.  
Lord Abing-  
don's motion.

The Earl made his grand attack, by moving that the grant of money, in private aids or benevolences, without the sanction of Parliament, for the purpose of raising armies, was repugnant to the constitution and the law; an infringement of the rights and breach of the privileges of Parliament. His speech was desultory, and so abusive, that Earl Gower remarked, such language had never before been heard in either House. Lord Abingdon retraced the arguments against consulting the judges, and seemed to point his sarcasms against the chief justice of the King's Bench. The present levy, he contended, was no less illegal and repugnant to the spirit, if not the letter, of the bill of rights, than the demand of ship-money. Tories, Jacobites, and Scotchmen, the first addressers for abrogating the liberties of three millions of subjects in America, were now the first to take up arms; common sense warranted the inference, that something more than mere loyalty to the House of Hanover actuated such measures.

4th Feb.

Lord Hardwick's opinion, delivered on the trial of the rebel Lords, Kilmarnock, Cromartie, and Balmerino, in 1746, wherein that great oracle of the law treated such objections as the offspring of ignorance and presumption, was read in answer to these observations, and an amendment moved, declaring the voluntary subscriptions legal, and highly meritorious.

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Against this amendment it was urged, that it unfairly withdrew the original proposition from debate, and prevented the decision of the House, by raising another topic of discussion, not tending to place out of doubt the principal subject. Lord Mansfield, although he proved the practice of moving such amendments consonant to usage, recommended that, for candour's sake, it should be withdrawn; and his advice was followed. He then urged, in an animated and impressive manner, the arguments drawn from law and precedent in favour of the practice; and, after a short reply from Lord Camden, the resolutions were negatived\*.

Committee  
on the state  
of the nation.

In both Houses, the greatest attention was fixed on the approaching committees on the state of the nation; the preparatory motions for additional papers, and the arguments by which they were encountered†, shewed that both parties looked forward to that discussion as a crisis of considerable importance.

2nd Feb.  
Fox's motion  
that no more  
troops be  
sent out of  
the kingdom.

Mr. Fox opened the business in the House of Commons, by invoking the members not to mix the topics of that day's debate with any previous matter, but to proceed plainly and directly in considering the actual state of the country, and the means by which Great Britain might be delivered from impending dangers. He wished all would agree in divesting themselves of former opinions, favourite ideas, and prejudices, and resume or reject them as they might fairly result from the present inquiry. He recommended an oblivion of enmity and animosity, a suspension of all sentiments of regard or dislike toward America, and the calm and dispassionate contemplation of that country as a part, a very considerable part, of the British empire. He propounded, as an incontrovertible axiom, that when a country falls, within the short space of a few years, from the highest pinnacle ever attained in an-

\* 90 to 30.

† In the House of Lords, on the 23rd, 26th, 29th, and 30th of January: in the House of Commons, on the 27th and 29th of January, and the 2nd of February.

cient or modern times, there must have been some radical error in the government, though radical error was not in itself a proof of ministerial criminality.

He took an historical view of the proceedings relative to America from 1774, and proclaimed the error of ministers in mistaking a single province for a whole continent; Massachuset's Bay for the American empire. Virginia, a colony no less jealous of its rights, nor less warm in asserting them, was forgotten; and the union of any other colony with the Massachuset's was deemed impossible: but whoever contended against ten men, when prepared only for one opponent, must encounter greater difficulties than if originally aware of the resisting force. Every attempt to crush an insurrection by means inadequate to the end, fomented instead of suppressing it. All the acts of that session were founded on the same mistake; the Quebec act completed the union of all parties in America; and a few weeks before the arrival of reinforcements the civil war was begun. After describing the transactions of the British army till the evacuation of Boston, Mr. Fox asked, what was the conduct of America? They sent a petition, couched in most respectful terms, disclaiming independence, and desiring no concession in the least dishonourable to the mother-country, but supplicating the King's paternal interference. To this petition no answer was given; and the ministry even called the petition a farce, and asserted the view of the Americans to be independence. If such was the real aim of Congress, and the petition calculated to delude the people of America, as well as those of Great Britain, ministers would have acted more wisely in accepting, and converting it to a test of veracity. Vigorous measures were, however, for the first time, attempted; Sir William Howe was completely reinforced; New York taken; two or three battles gained; but the American army was not extinguished; and the affair of Trenton plainly shewed the impossibility of totally reducing them. On the events of the last campaign he forbore to treat; they demanded separate investigation.

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He then inferred, from the papers before the House, that to send more troops out of the kingdom would be highly imprudent. The peace establishment had been seventeen thousand men for Great Britain; twelve thousand for Ireland; three thousand five hundred for Gibraltar; and two thousand three hundred for Minorca; amounting together to thirty-four thousand eight hundred. The conduct of France, the state of public credit, His Majesty's speech at the opening of the session, sufficiently proved the necessity of preparing for a foreign war; and, if thirty-four thousand men were necessary in time of peace, it could not be proper to retain a less number at the present moment. But, in fact, the number of troops in Great Britain did not exceed fifteen thousand; in Ireland, eight thousand; in Gibraltar and Minorca, five thousand; so that the actual defalcation from the peace establishment was six thousand. It would be madness to part with more of the army: the war was impracticable, and no good could be obtained by force; the lives that had been lost, and the treasures that had been wasted, were ineffectually lavished; it was time to contemplate the domestic situation of the country, and not leave England defenceless to strengthen the army in America. He therefore moved for orders that no more of the old corps should be sent out of the kingdom.

Strangers being excluded from the House, no report exists of an answer to Mr. Fox's speech; but his motion was rejected\*.

2nd Feb.  
Similar motion in the  
House of  
Lords.

The Duke of Richmond, pursuing nearly the same chain of narrative, and the same mode of reasoning with Mr. Fox, founded on it a motion somewhat more dilated in form, but in substance nearly similar.

This motion, it was said, would, if agreed to, amount to a public acknowledgment of inability to prosecute the war, or assert the rights of Great Britain over her colonies, and invite the House of Bourbon to attempt an invasion. If, in fact (as the motion intended

to prove), Great Britain was unable to defend her own territory, or assert her dominion over America, her weakness should be concealed, not only from foreign states, but from the colonies, now become her rivals in power and commerce. The address would invade, and suspend the inherent prerogative of the crown to raise, direct, and employ the military force. The hostile intentions of rival nations were still denied; the courts of Versailles and Madrid gave repeated assurances of pacific dispositions, although the armaments in their ports justified the King in recommending to Parliament an augmentation of the navy. Yet, should every apprehension be realized, it would be extremely imprudent to invite war by an ostentation of weakness.

In support of the motion, hostility and invasion were inferred from all the conduct of France since 1775; the reception of Deane in a public character; of Dr. Franklin, armed with more complete and extensive powers; the grant of every substantial effect of solemn amity and alliance; the trade with the colonies, the supply of arms, ammunition, clothing, and officers to discipline the troops, uniformly proved the real disposition of our ancient enemy. Remonstrances had been made, promises given, explanations added; but still France persisted in the same conduct: ordinances were issued, but evaded, altered, or so modified as to lose their effect. In fine, France accomplished, by arts of evasion, the first part of her plan, that of disuniting America from the mother-country, and giving the colonies that species of assistance which enabled them to defy opposition. And notwithstanding the pacific assurances, private promises, and public acts, so ostentatiously displayed, l'Orient and Nantz were then blocked up by a British naval force, for the purpose of intercepting succours to America, and impeding that very commerce which the French king, in his public edicts, pretended to prohibit.

Dependence on a fleet in case of projected invasion was uncertain; winds, tides, and accidents not in the governance of human policy, might prevent naval operations; and France, having always a powerful



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military force in the vicinity of our coasts, might, in the space of four-and-twenty hours, by pressing fishing boats and small craft, land so large an army as to endanger the existence and independence of the nation. Miserable indeed would be the reliance on an undisciplined militia; where gradations of rank were not observed among the officers, and the privates were completed by substitutes. Nor were these perils to be disregarded as distant and doubtful; for the Duke of Grafton positively asserted that a war with France must take place within three months, unless peace was concluded with America.

This mode of arguing was decried as tending to invite, what the speakers affected to deprecate, hostility and invasion. The fundamental facts and inferences were strongly denied; France could not collect a sufficient force to make an impression; an armament from Calais would be destroyed by the British fleet in the Downs; and when an invasion from Dunkirk was projected under Marshal Saxe, Lord Sandwich said he had seen whole hogsheds of letters, both from persons resident at Dunkirk, and others serving in the intended expedition, reprobating the folly, absurdity, and impracticability of the attempt, and earnestly wishing it abandoned. The report of a British squadron stationed off Nantz and l'Orient was untrue; and the management of the militia was wisely arranged, substitutes being in general much better and more experienced soldiers than could be obtained by taking tradesmen and artificers from their shops and manufactories.

The motion was negatived\*.

The House of Lords did not adopt the regulation of excluding strangers; but the House of Commons continued it on the next sitting of the committee, when Mr. Burke moved for copies of papers relative to the employment of the Indians of America, from March 1774, to January 1770.

In support of this proposition he made a speech of

6th Feb.  
Burke's motion on the  
employment  
of savages.

more than three hours, which is generally applauded as one of his most distinguished efforts, though very inadequately reported. Colonel Barré, mixing somewhat of the spirit of party with genuine admiration of extraordinary talent, offered, if it were published, to nail it on every church door where he saw the King's proclamation for a fast; and governor Johnstone rejoiced in the exclusion of strangers, as their indignation and enthusiasm would have impelled them to tear in pieces the two ministerial Lords, North and Germaine. The former grounds of defence urged in behalf of this measure were treated by Mr. Burke as deserving little regard. The fault of employing savages, he said, did not consist in their colour, or their weapons, but in their mode of warfare, which was so horrible as to shock, not only the manners of all civilized people, but far exceed the ferocity of all barbarians mentioned in history. The Indians have two principal objects in war: the glory of destroying or exterminating their enemies; and that of procuring the greatest numbers of scalps, to hang up in their huts as trophies of victory and proofs of prowess. Having no titles, sinecure places, lucrative governments, pensions, or red ribbons to bestow, they reward valour by donations of human scalps, human flesh, and the gratifications arising from torturing, mangling, scalping, and sometimes devouring their captives. They were formidable only from their cruelty; and those who employed them became chargeable with all their odious and impotent barbarities. No proof was adduced that the Americans had attempted an offensive alliance with any of their tribes, while the papers before the House demonstrated that the King's ministers had negotiated and obtained such alliances in all parts of the continent.

Mr. Burke ludicrously analysed General Burgoyne's famous speech; not decrying its sentiments, but the application of them to savages not more intelligent or likely to be affected than the wild beasts of the forest. He endeavoured to prove, by details of

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General Burgoyne's and Colonel St. Leger's expeditions, that the Indians did, in effect, indiscriminately murder men, women and children, friends and foes; and that the greatest slaughter fell on those who were best affected to the King's government, and had been disarmed by the provincials; painting in strong colours the story of Miss Macrea.

The only possible remedy against the alienation of affection, the distrust and terror created by these measures, was a serious parliamentary inquiry, attended with demonstrations of disapprobation. The colonies would otherwise never believe those, who carried on so cruel and dishonourable a war, fit men to be confided in for a sound and cordial peace, and much less to be intrusted with power and dominion\*.

Governor Pownall agreed that there was not so hellish, so unfair an engine of war, as the service of the savage, mixed with the regular soldier. Humanity and honour had, among civilized nations, defined rights, and given laws to war; laid restraints on havock, and imposed limits to destruction and bloodshed: even in the rigours of war, the *jura belli* had been adopted, and almost universally observed. The war of savages, on the contrary, was a contest unregulated by feelings of honour or humanity, an unrestrained effusion of revenge and blood-thirstiness, ravage, devastation, and destruction. No justification could be offered for employing Indians, but absolute, unavoidable necessity. The operations of the American war were combined with the nature of the country, more than half a wilderness, and with the interests and nature of the Indians inhabiting that wilderness. No war could be carried on without their interposition; that belligerent power with whom they did not co-operate, they would attack; neutrality was a delusive notion, impracticable in fact, and never adopted by any

\* This speech was prepared with unusual care and industry. I have been informed by a very learned and honourable person who had possession of Mr. Burke's papers after his decease, that four or five drafts of it were made and corrected by him previous to its being delivered. It is much to be regretted, that, as a specimen of finished eloquence, a full report of it has not been given.

party, but as a succedaneum, after miscarriage in the attempt to engage them in offensive operations. Such were the politics of the French in the last, and of the Congress in the present, war; they first endeavoured to engage the Indians, but, failing, affected to follow the plausible line of neutrality in the temper of moderation and humanity. The necessity of employing them might be avoided; their voluntary neutrality was nonsense, delusive, dangerous nonsense; but if both belligerent powers would agree strictly to desist from engaging them, and adopt some stipulation or convention mutually, and in one spirit of good faith not to suffer them to intermeddle, but act against them as enemies, wherever they attempted hostilities, all the horrors, so forcibly depicted, might be prevented, or greatly restrained. If government and Parliament would concur in this regulation, and propose to Congress such a convention, they would certainly embrace it with sincerity, and execute it with good faith. The measure would be independent of the object of the war; and yet this spirit, thus aiming to regulate the means of restraining its rigours, might become the first seed of peace. It would facilitate mutual good dispositions and good offices; and such a beginning would probably end in peace; at all events, government would not endanger any of its rights or interests in making the proposal. In conclusion, this intelligent member offered, without commission, pay, or expectation of recompence, personally to attend the Congress, and negotiate the arrangement, without committing the dignity of the British crown.

Mr. Burke's motion was rejected\*, as well as several auxiliary propositions by which it was followed.

Another effort was made by Mr. Fox to accomplish those regulations of military exertion which the opposition seemed to consider as one of the great objects in obtaining the committee. He moved as a resolution, that in 1774 the land forces serving in North America did not amount to more than six thousand

11th Feb.  
Fox's second  
motion re-  
specting the  
army.

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eight hundred and sixty-four men, officers included; and read eleven other resolutions which stated progressively all the reinforcements sent to America since that period, deriving from the whole a deduction, that twenty thousand men had been lost in the contest. If with so great a force so little could be achieved, it was clearly impracticable, by prosecuting the war, either to subdue the Americans or terrify them into obedience. These statements were said, by the friends of administration, to be unfounded on fact, as not more than twelve hundred men had been destroyed in battle; and if the gross deficiency of the army, including those who died natural deaths, deserted, became prisoners, or unfit for service, were published as loss, it would convey information very remote from truth. The resolution was evaded by a motion for leave to report progress\*.

Examination  
of evidence in  
the House of  
Lords.  
9th.

Resolutions  
moved by  
the Duke of  
Richmond.

16th and 19th  
of February.

In the House of Lords the committee was employed in the examination of evidence: merchants were called as witnesses, who proved that great loss had ensued to their commercial concerns from the war; and other merchants produced on the part of administration, who shewed that considerable captures had been made, and new and profitable sources of commerce opened since the commencement of hostilities. The Duke of Richmond, who strenuously opposed the production of the latter witnesses, resisted no less the reasonings drawn from their testimony against a series of resolutions which he moved, declaratory of the great maritime and commercial losses caused by the war. The prizes taken and distributed to British seamen, far from being a balance in our favour, added to our loss; for if we were not at war with America, the value of all these cargoes, in the circuitous course of trade, must centre in Great Britain. The propositions were disposed of by the previous question†. Other motions made by the Duke of Richmond for declaring the number of troops sent to America, and for ascertaining the expense incurred by the war, occasioned long dis-

\* 263 to 149.

† 80 to 32.

cussions, and upon each the chairman was directed to leave the chair.

A motion was made by the Duke of Bolton for censuring the naval conduct of the war, by a resolution expressive of the number of ships employed in America since 1774. The debate was generally confined to broad assertions and resolute contradictions. According to the lords in opposition, the great national bulwark was in a state of shameful neglect; while the lord at the head of the naval department insisted that it had never been so judiciously administered. The previous question terminated the discussion\*.

In the mean time, Lord North, pursuant to a notice in the committee on the state of the nation, submitted to the House a new plan of conciliation with the colonies. His speech, in introducing this measure, was long and explicit. He had been uniformly disposed to peace. The coercive acts appeared necessary when they were proposed, but finding them unproductive of the intended effect, he essayed conciliatory measures, before the sword was unsheathed. He then thought (nor was his opinion changed) those propositions capable of forming the happiest, most equitable, and most lasting bond of union between Great Britain and her colonies; but, by a variety of discussions, a plan, originally clear and simple, was made to appear so obscure as to go damned to America. Congress conceived, or took occasion to represent it as a scheme for sowing divisions, and introducing a worse species of taxation than had previously existed, and accordingly rejected it. He never expected to derive any considerable revenue from America; in his opinion they should contribute in a very low proportion to the expenses of the state. Few taxes would prove worth the charge of collection; even the stamp act, the most judicious and most highly estimated, would not have produced a considerable revenue: a confederacy against the use of stamps would have annihilated the produce, while it increased the confusions of the

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1778.  
2nd March.  
Motion by  
the Duke of  
Bolton  
respecting  
the navy.

17th Feb.  
Lord North's  
plan of conciliation.

\* In these divisions the majorities always exceeded two to one.

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country. He found America already taxed, when he unfortunately came into administration. The act, enabling the East India Company to send teas with a drawback of the whole duty, was a relief instead of an oppression; but the disaffected and those engaged in contraband trade, endeavoured to represent it as a monopoly. He never intended taxation, in the last tea act, nor in the conciliatory proposition, but as a medium of union and concord; his present proposition would therefore be found consistent with his former conduct.

One of the bills he designed to move would quiet America on the subject of taxation, dispel all fears, real or pretended, that Parliament would attempt to tax them again, and annul the right itself, so far as it regarded revenue. The Americans had desired a repeal of all the acts passed since 1763: were this requisition granted in its full extent, several statutes, highly beneficial to themselves, granting bounties and premiums, or relaxing former grievous regulations, must be rescinded. The late acts which originated in the quarrel should cease with it; and commissioners should be authorized to adjust, in a satisfactory manner, all other disputes. The powers granted to former commissioners had been considered more limited than in reality they were: he should take care now to be explicit, granting full authority to discuss and conclude every point, treating with the Congress as if it were a legal body, and would so far give it authenticity as if its acts and concessions would bind all America. They should be empowered to treat with provincial assemblies as at present constituted, and with individuals in their actual civil capacities or military commands; with General Washington or any other officer: they might suspend hostilities; intermit the operation of laws; grant pardons, immunities, and rewards; restore to colonies their ancient constitutions; and nominate governors, counsel, judges, and magistrates, till the King's further pleasure should be known. A renunciation of independence would not be insisted on till the treaty had received final ratification by the King

and Parliament. The commissioners should be instructed to negotiate for a reasonable and moderate contribution toward the common defence of the empire, when reunited; but, to obviate every pretence against terminating this unhappy difference, the contributions should not be insisted on as a *sine qua non* of the treaty.

If such had always been his sentiments with regard to taxation and peace, why, it would be asked, had he not made the proposition at a more early period? his opinion had ever been, that the moment of victory was the proper time for offering terms, and at the beginning of the session he had declared those sentiments; he then thought the successes obtained by Sir William Howe more decisive, and was unacquainted with General Burgoyne's misfortune. These terms were in substance the same he would offer in the height of victory; he saw no reason for protracting the war, the effusion of blood, and the immoderate expense, and therefore now offered the same propositions. The events of war had not corresponded with his expectations; but his concessions arose from reason and propriety, not from necessity. England was in a condition to prosecute the war much longer; new armies could easily be raised, the navy was never in greater strength, and the revenue very little sunk. With these observations, he submitted the whole plan, together with the propriety of his past and present conduct, to the judgment of the House.

Mr. Fox was glad to find the propositions so ample and satisfactory, and believed they would be supported by all those with whom he had the honour to act; they did not differ materially from those of Mr. Burke about three years ago; the same arguments then used by the minority, and nearly in the same words, were now re-produced by Lord North. He wished this concession had been made more early, and on principles more respectful to Parliament. To tell them that if they were deceived, they had deceived themselves, was neither kind nor civil to an assembly, which for so many years had relied on him with such

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Approved by  
Mr. Fox.



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unreserved confidence. All public bodies, like the House of Commons, must repose ample trust in ministers; their only method of preventing its abuse was to punish those who had mis-informed them concerning the true state of their affairs, or conducted them with negligence, ignorance, or incapacity. Lord North's arguments on this subject might be all collected into one point, his excuses all reduced into one apology; his total ignorance. He hoped, and was disappointed; he expected much, and found little to answer his expectations. He thought the Americans would obey his laws; they resisted. He thought they would submit to his armies; the armies were beaten by inferior numbers. He made conciliatory propositions, and thought they would succeed; but they were rejected. He appointed commissioners to make peace, and thought they had powers; but found they could not make peace, and nobody believed they had any powers. The present proposition deserved support, because much more clear and satisfactory than the last; for necessity had at length compelled the minister to speak plainly.

Opposed.

The sanction of so great a leader did not prevent several members of opposition from raising objections to Lord North's plan. Little hope could be entertained, they said, of good effect; for whatever the Americans might suffer by the continuance of the war, they would never receive the olive branch from hands so deeply stained with the blood of their countrymen. If nothing could be gained from their fears, what could the present ministers expect from their affections? The propositions proved the prosperous condition of American affairs, and the humiliation of Great Britain. Although the minister boasted, with an air of fortitude, of the state of the army and navy, would it be believed that those who talked of nothing less than unconditional submission, and bringing America prostrate at their feet, repealed obnoxious acts from any other motive than a conviction that the strength of the nation was inadequate to the contest? And could it be expected that, after having resisted and

baffled our utmost efforts, the Americans would ever sheath the sword without sufficient security against the repetition of injuries? Would not the breach of the solemn official promise of Lord Hillsborough justify the Americans in declining negotiation with men who laid the foundation of war in perfidy and built on it with cruelty? The Americans would not, now the hazard of contest was so nearly past, entrust for a moment the privileges for which they had ventured their lives and fortunes in the hands from which they had just rescued them. The motion tended, not to pacify America, but to amuse England by a delusive prospect of reconciliation, and suspend at least the vengeance of an injured and insulted public.

These objections produced no effect: two bills were brought in for effecting the purpose suggested in Lord North's speech. In the committee, Serjeant Adair moved that the power of nominating commissioners should be, not in the Crown, but in Parliament; but the motion was negatived without a division.

Another debate on the same principle was maintained in the committee, when several friends of government reprobated the renunciation of the right of taxation; the opposition insisted that the bill was too late to produce beneficial effects, and the minister declared the commissioners should not be qualified to concede the point of independence; the Americans must treat as subjects. The bill respecting taxation was amended by the insertion of a clause to repeal the act for taxing tea; and its provisions were extended to the West India Islands.

On the third reading of the bills, the members of opposition came prepared for more determined hostility, and finished the task of giving an unfavourable impression, and furnishing arguments for rejecting the proffered conciliation. Mr. Wilkes, who was the chief speaker on this side, qualified the approbation given by opposition to the principles of the act, by observing it could not be withheld, as the minister had borrowed them from those who would not, even when in his hands, refuse to avow them. He bantered some

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bills through  
the House  
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supporters of administration on the period of their conversion to these new principles; one\* had avowed that he became convinced of the impracticability of deriving a beneficial revenue from America, when General Howe was compelled to retire from the Jerseys; another†, when Burgoyne capitulated at Saratoga. Washington and Gates were powerful apostles; he should not be surprised if General Howe himself were, in the end, *converted*. The era of the minister's conversion was not so far distant; it happened at the successful moment of the late American negotiation in France, which established their independence. It was impossible not to be charmed with the gentle, meek, supplicating, humiliating tone of the noble Lord. No more was said of the vengeance of the state against daring rebels: the harsh discord of war no longer grated on the ear; it was now ravished with the enchanting sounds of peace, harmony, and reconciliation. The bills were more calculated for England than America: as they tendered a hope, which ministers knew to be fallacious, of reconciliation, on terms short of independence. Mr. Wilkes then analyzed several expressions in the bills, which, far from healing, he considered most obnoxious, offensive, and galling; the language of high and direct insult. In October, 1774, he proceeded, the Congress humbly supplicated for peace, liberty, and safety; safety had been since secured by their own prowess, except indeed on some parts of their extensive coast: they had been driven into independence, and begun to taste its sweets; they had been forced into reluctant warfare, and urged to desperation; their towns wantonly burnt; men, women, children, even infants at the breast, inhumanly butchered; captives massacred in cold blood; the dying and wounded scalped; and fire and sword carried through the most fertile provinces; could ministers then weakly expect to cajole America with a parchment act, at the moment of declaring their despair of conquest by the sword? The colonists had now tried

\* Mr. Dundas.

† Mr. Charles Baldwin.

their strength, and found their resources, both on their own continent and in Europe, adequate to their views. The whole world admired their firmness and fortitude, and joined in warm applause of their military achievements. The zeal of France had attained its highest pitch, and even this island might say to America, in the words of Horace,

“ *Te cæde gaudentes Britanni*  
“ *Compositis venerantur armis\*.*”

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The Americans had expressed the utmost abhorrence of the ministers who were to nominate the commissioners; and would they entertain a more favourable idea of their creatures? The intended negotiation could produce only disgrace and humiliation, and create a lucrative job for five bold hungry dependents of the minister. He advised, though not fond of giving advice, an immediate cessation of arms, as the means of saving Howe from the fate of Burgoyne.

To this speech, interspersed with much of that ribaldry in which Mr. Wilkes so much delighted, no answer was given, and the bills passed without a division.

Prepared by the debates in the House of Commons, the Lords in opposition embarrassed the progress of the conciliatory bills with numerous objections, unaccompanied by any concession. The Duke of Richmond read the American declaration of independence, and, after commenting on it, paragraph by paragraph, appealed to ministers whether they meant to concede, or subscribe to its assertions? such as these, that the King was a tyrant; that troops had been quartered among them without their consent; that the admiralty courts were a grievance; that acts suspending those of their respective assemblies had passed the British Parliament; that the King having acted tyrannically, they had justly withdrawn themselves from his allegiance; and that the judges enjoying their offices

3rd, 5th, and  
9th of March.  
Debates in the  
House of  
Lords.

\* Car. iv, 14, 51. The classical reader will not require to be told that in the quotation *Britanni* is substituted for *Sicambri*.

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during pleasure, were rendered dependent on the Crown? His Majesty had lost the affection of his American subjects, by the insolent, daring, perfidious, and unconstitutional language of ministers. These bills, far from regaining it, would sound the trumpet of war to all neighbouring nations. The measure was impotent, ignominious, and ineffectual. Why not renounce at once the right of taxation reserved in the declaratory act? The Americans were wise, sagacious, and penetrating enough to descry, under this pretended candour, concession, and good-will, the same principles directed toward the attainment of the same objects, though by a different mode. The bill for sending out commissioners meant nothing, or worse than nothing; it was better calculated to divide than to conciliate. It empowered to treat with America, and then return to Europe to consult Parliament. Why not, instead of arming commissioners with powers, not to be regulated, nor of course properly exercised, why not repeal all the obnoxious acts at once? Such conduct would evince sincerity. If the necessity, which ministers avowed to influence their measures, arose from the knowledge of a treaty, offensive and defensive, having been agitated, or signed between France and America, it was clearly their duty to afford explicit information. They could not be ignorant of the truth; it had been mentioned in the lower House three weeks since; nay, report said they not only knew it, but had sent emissaries to tamper with Dr. Franklin and Silas Deane, offering the terms included in the bill, but which had been refused with contempt. Report even said, they had applied to the Congress; who had rejected every proposition they now meant to offer. If such was the fact, nothing could excuse, nothing palliate the presumption and wickedness of such a trick, such a deception on the nation, as the present recanting scheme, which, if unsuccessful, must augment difficulties and increase dishonour.

Beside these objections made by the usual assertors of the justice of the American cause, Lord Temple, from motives precisely the reverse, expressed high indigna-

tion and contempt of the measure. America had aimed at independence from the beginning. Ministers had raised the spirit of the nation by the new levies, and now diminished it by thus disgracefully prostrating the country, Parliament and people, at the feet of Franklin and Deane, to whom ministers paid homage in sackcloth and ashes. The present bills were so disgraceful in every point, that "*venit summa dies*" might now be unhappily applied to the glory of this country.

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Lord Shelburne, too, opposed the bills, assigning as a motive their tendency to separate the two countries. He would never consent that America should be independent: his idea of the connexion between the mother-country and the colonies was, that they should have one friend, one enemy, one purse, and one sword; Great Britain superintending the interests of the whole, as the great controuling power. Both countries should have but one will, though the means of expressing it might be different, distinct, and varied. All this might have been procured not long since, and perhaps even now, without measures of blood. He would never adopt any scheme tending to a divorce from the colonies; when that event should take place, the sun of Great Britain was set, she would no longer be powerful or respectable.

The bill passed without a division; a protest signed by Lord Abingdon was entered on the journals, containing the objections he had urged in debate, and some new arguments, likely to afford plausible themes of declamation to the American Congress.

Bills passed.

After passing these acts, two motions were made in the House of Commons, calculated to give an unfavourable impression of their importance, and to urge the ministry to such declarations as would be ungrateful to the Americans. One was by Mr. James Luttrell, "that if the commissioners should find the continuance in office of any minister, or ministers, impressed such jealousies in the colonies as might obstruct the happy work of peace, the commissioners might be enabled

Motions in the  
House of  
Commons.

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“ to promise their removal\*.” The other was by Mr. Powys, for further instructions to the commissioners. The debate turned on the resources, habits, and luxuries of Great Britain, compared with those of America; and the propriety of conceding independence, if required; but some members of opposition censured the motion, and, without a division, the chairman was ordered to leave the chair.

\* This motion was rejected, 150 to 55.

## CHAPTER THE THIRTY-THIRD.

1778.

Frequent allusions in Parliament to hostility on the part of France.—Acts of the French government.—Conduct respecting American prizes.—Duplicity of the French government.—Sagacity of Franklin.—Insincerity of De Vergennes.—Treaty between France and America arranged—but still denied.—Observations in Parliament.—Efforts of Franklin and Deane.—Attempts to engage Lord Chatham in administration.—Message from the King to Parliament respecting France.—Debates on the addresses.—Numerous motions respecting the navy.—On contracts.—Bill for excluding contractors from the House of Commons.—Lost by the management of its supporters.—Motion for a tax on places.—Propositions for relief of Ireland.—Opposition.—Numerous petitions.—Limited relief afforded.—Address of the Roman Catholics to the King.—Bill for their relief.—Opposed in the House of Lords.—Passed.—Fox's motion relative to General Burgoyne.—The General's return to England.—Defence of himself in the House of Commons.—The Duke of Richmond's motion for withdrawing the troops from America.—Appearance of Lord Chatham.—His speech.—Reply of the Duke of Richmond. Lord Chatham's sudden illness.—Death.—Honours paid to his memory by the House of Commons.—National munificence.—Opposed in the House of Lords.—Honours paid to his memory by the Common Council of London.—Lord Chatham's funeral.—Adjournment of Parliament.—Speech from the throne.

INFORMED by public rumour, and from sources more authentic, the opponents of government had

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Frequent  
allusions in  
Parliament  
to hostility  
on the part  
of France.  
6th Feb.

given, in the late debates, many intimations of an approaching rupture with the House of Bourbon, and of a treaty of commerce and alliance in agitation between the court of Versailles and the American plenipotentiaries. The attention of Lord Stormont had been anxiously applied to this matter, but had not sufficed to procure any distinct or intelligible communication. Such intelligence as can be obtained of the proceedings of courts, aided by the impression of public, undoubted, and undenied events, rendered the English ambassador extremely solicitous to obtain explanations, and finally to conclude, before it was officially announced, that the French government, in defiance of all the rules of honour, the obligations of treaties, and the dictates of sound political wisdom, had resolved to become a party in the war, by avowing the independence and aiding the military operations of the Americans.

Acts of the  
French  
Government.

Without detailing minutely the acts, inquiries, and explanations, which form the subject of Lord Stormont's dispatches during the last six months of 1777, and the first three of the following year, it may suffice to recapitulate leading facts, and shew the views and conduct of France. In the whole course of the proceedings, it was evident that their measures and resolves were guided and governed by the apparent probabilities of the success of the Americans. Eager to inflict on this country the injuries which were prompted by revenge and mortified pride, they were yet mindful of the miserable state of their finances, and could not forget the events in the late war, which ended in a disadvantageous and disgraceful peace, and gave force to their present rancour. Their language and behaviour, consequently, fluctuated with the prospects of the war: they were widely different after the surprise at Trenton from what they had been before that event: in the course of the campaign, while victory crowned the British arms, and particularly after the capture of Philadelphia, and while General Burgoyne's expedition seemed to promise complete success, their language

was conciliatory, and even conceding ; but, when the reverse of fortune was known, and after the convention of Saratoga, a tone totally different was assumed, and a hostile disposition unequivocally manifested.

Clandestine aid to the colonies was never intermitted ; it was sometimes palliated, sometimes denied or disavowed ; but, at length, it became of a nature too decisive and open to admit of excuse, or to be distinguished from direct hostility. Unavowed as a nation, the Americans could not apply to the Admiralty courts in Europe to condemn the ships they captured. They erected a tribunal in South Carolina ; but France redeemed them from much of their difficulty in Europe, by permitting the prizes to be sold in their ports, and by protecting their ships and crews. In the West Indies, they gave them aid more effectual, by purchasing from them, at a low price, cargoes of negroes, which they took on the sea, by equipping them with arms and all other necessities, and the French governors honoured their flag as if it had been that of an established and friendly nation. Both in Europe and in the West Indies, privateers were purchased and fitted out apparently as Americans, but, in reality, manned by French seamen, and cruising against our trade for their own profit. These enormities occasioned frequent remonstrances, which were met, according to the circumstances of the times, with more or less verbal civility ; but they were never redressed. In fact, the reproofs of De Vergennes were conveyed in such mild and friendly terms, that the American commissioners considered the remonstrances affected, not real\*.

From the moment of Dr. Franklin's arrival, he and Deane had been unremitting in their efforts to obtain from the French ministers a formal treaty. Great difficulties at first opposed the completion of this attempt ; but patience, address, and the course of events, surmounted them. For the purpose of delusion, Dr. Franklin brought with him the outlines of a pacific proposal ; it required, that Great Britain should con-

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Conduct  
respecting  
American  
prizes.

Efforts of  
Franklin and  
Deane.

\* Franklin's Memoirs, vol. i, p. 313.

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cede the absolute independence of America, and give up to her Quebec, St. John's, Nova Scotia, Bermuda, the Floridas, and the Bahamas, in consideration of a pecuniary promise which the United States were to make. There was no expectation that such terms would even bear to be mentioned; but, among the reasons for suggesting them, it was stated, that, in case of capture, they would afford protection to the person of Franklin, by investing him with the character of an ambassador, and that the knowledge of such powers having been granted would facilitate and expedite a treaty with France. If the ministry of that country had not been previously disposed to favour the suit of the Americans, it is not probable that a device so shallow would have imposed on their sagacity; but whatever they might by craft and prudence be induced to withhold in public demonstration, was in secret amply accorded. Dr. Franklin was *privately* received with every demonstration of regard and respect by M. De Vergennes\*, who gave strong assurances of kindness and regard to him and the other commissioners. A constant intercourse was maintained through the medium of clerks; Franklin and Deane were admitted by night to interviews with De Vergennes and De Sartines; and their accounts of the favouring sentiments of those ministers, and their probable conduct, flattered the hopes and increased the firmness of their friends.

Duplicity of  
the French  
ministers.

Informed of many of these facts by persons on whom he could rely, Lord Stormont endeavoured to extract from M. De Vergennes an avowal or denial of a treaty. It were equally painful and tedious to trace, step by step, the progress of the French minister in the paths of deceit and falsehood: it may suffice to say, that Lord Stormont was uniformly explicit, firm, and moderate; while M. De Vergennes exhibited all the opposite qualities of evasion, hesitation, and occasionally of arrogance. M. De Maurepas, although the friend of peace, shewed signs of a wavering determi-

\* The expression used in Franklin's Memoirs, vol. i. p. 312.

nation ; and the French king displayed that flexibility which was the bane of his life, and which drew from him, at a later period, the acknowledgment that he had pursued a wrong course, but that advantage had been taken of his youth\*.

M. De Maurepas repelled an assertion, promulgated by Deane, that France was ready to acknowledge the independence of the Americans, and treat with them accordingly, by saying that he had told them it could only be acknowledged by France when conceded by Great Britain, and not while they were at war with their sovereign. De Vergennes, at the same period, acknowledged that he had seen Deane and Franklin, but all that had passed between them would not furnish matter for the smallest dispatch. Yet it was at this very period that the Americans were sending privateers from French ports, with instructions from De Vergennes as to the extent of their proceedings ; and he afterward complained of their exceeding the prescribed limits†. Fleets and troops were sent out to the West Indies, and corresponding preparations were made in England. At one time, a mutual disarming to a certain extent was proposed and apparently agreed to, but not carried into effect, for want of the assent of Spain. As the assistance to the Americans became daily more obvious, and the number of complaints consequently increased, Lord Stormont renewed his remonstrances to De Maurepas, citing several instances of vessels fitted out in France by American agents, dispatched on simulated voyages to St. Domingo, but in reality destined for American ports. This, he said, must be considered as an act of hostility toward us ; we could not put up with a nominal peace, and an actual war. "The answers of Maurepas," he adds, "shewed a duplicity scarcely to be equalled. The French deceive the rebels as well as us ; they have no system but that of giving clandestine succour, in the hope of weakening us by protracting the struggle,

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March

\* Bertrand's Annals, vol. ii. p. 37.

† Lord Stormont to Lord George Germaine, 10th April, 1777. De Vergennes to the American commissioners, 16th July. Franklin's Memoirs, vol. i. p. 313.

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March 22.

“ and, if we will be contented with nominal peace, war  
 “ may be avoided for some months. Their aim is to  
 “ wound in the dark, and stab with the stiletto, until  
 “ they dare to draw the sword.” The justness of these  
 observations became immediately apparent, when, on  
 the intelligence of the first successful operations of  
 General Burgoyne, the French ministers ostentatiously  
 disavowed all succours, all arming of ships in their  
 ports, and, generally, all the other subjects of com-  
 plaint. Soon, however, the old disposition was dis-  
 played; a great number of vessels were prepared in  
 France, to unite with a similar squadron at Bilboa,  
 and proceed to America. For this expedition, De  
 Vergennes, making the old apology, that it was merely  
 for contraband trade, received the justly contemptuous  
 reproof, “ Do smugglers generally sail in fleets ?”

Nov. 5.

Sagacity of  
Franklin.

In pressing the negotiation for his country, Dr.  
 Franklin shewed the sort of talent necessary to meet  
 the disposition of those with whom he was to treat.  
 His art, duplicity, and power of simulation, were quite  
 equal to the occasion. Sometimes he caused false  
 reports to be spread of powerful resources of the rebels,  
 of financial distresses in England, and of liberal offers  
 for peace; and with these pretences he kept the minds  
 of the people engaged, and in some degree influenced  
 those of the ministers. But when the disaster of  
 Burgoyne was fully known, all his difficulties vanished.  
 The Count d' Aranda renewed his solicitations for a  
 hostile declaration, as the time presented a fair op-  
 portunity of taking ample revenge for their humilia-  
 tions in the late war, through the despondency, dis-  
 traction, and disunion of councils which the late  
 disaster must occasion.

Dec. 24.  
Insincerity  
of De Ver-  
gennes.

On the report of these circumstances, and some  
 others relating to the signature of a treaty, Lord Stor-  
 mont observed to De Vergennes that, if half the news  
 of Paris was true, he should not have an opportunity  
 of wishing him a happy new year, and so would do it  
 before hand. In explanation, he stated the rumours  
 of a treaty which were in circulation. The French  
 minister, with great readiness and apparent sincerity,

declared that only two councils had been held; he had been at both, and, *upon his honour*, no mention had been made of North America, nor any thing relating to it. With equal positiveness, M. De Maurepas repeated the same assertions, admitting, at the same time, that if France entered into a treaty with the Americans before England had conceded their independence, it would be impossible not to consider it as a declaration of war\*. The public were strongly impressed with the belief that such a crisis had arrived, and the French funds in consequence suffered a depression of five per cent.; but if the prospect of financial difficulty could have influenced the conduct of government, the indications were too strong to be overlooked. The resource, called *don gratuit du clergé*, the principal extraordinary fund on which they could rely, was mortgaged for many years in advance; a lottery was proposed, but the tickets could not find purchasers, and, far from shewing a disposition to acquiesce in extraordinary measures, the Parliament denounced as irregular a royal edict for equipping a powerful squadron.

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But, notwithstanding these appearances, notwithstanding the pledged honour of a French nobleman, a treaty was already determined on, and the resolution authentically communicated. Dr. Franklin having suggested that if France wished to secure the friendship of America, and detach her from the mother-country, not a moment was to be lost, M. Gérard, secretary to the council of state, repaired to the hotel of the commissioners, and, by order of the King, informed them that, after a long and mature deliberation, his Majesty had resolved, not only to recognize the independence of the United States, and enter into a treaty of commerce and alliance with them, but to support their cause with all the means in his power. He might be engaged in an expensive war on their account, but did not expect to be reimbursed by them: they were not to think that he had entered into this

Dec. 6th.  
Treaty  
arranged.

\* Lord Stormont to Lord George Germaine, 24th December, 1777.

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22nd Jan.

But still  
denied.

resolution solely with a view of serving them, since, independently of his real attachment to them and their cause, it was evidently the interest of France to diminish the power of England, by severing her colonies from her.\* As if the system of falsehood and duplicity wanted still another effort to complete its baseness, more than six weeks after this communication to Franklin, both the French ministers renewed and even strengthened their professions of amity. De Vergennes expressed ignorance of any new armament: he said the King was desirous of peace; but he evaded the question concerning a treaty. Lord Stormont (ironically no doubt, for at this time he had ample information) gave him credit for having too much elevation of mind to stoop to falsehood, and assert the thing which is not. With Maurepas the explanation was still more ample. He denied all armaments, but complained of the injuries sustained from our privateers. France might be obliged to arm in her own defence; as yet nothing was determined on; but the King was desirous of peace; and this assertion he repeated several times. When asked concerning a treaty, he exclaimed, "There is no such thing; nothing is yet *concluded*;" "the King does not wish for war, and we will never "attack you." Lord Stormont observed on the contradictory nature of his assurances, which, in the same breath, asserted the King's pacific disposition, and admitted that some agreement with the rebels was at least in contemplation; and such a transaction would be making war in the most insulting and offensive manner. When reminded of his former phrase, that nothing was *concluded*, he replied "No; neither concluded nor commenced†." The treaties were agreed upon, and definitively executed within a few days after the making of these false assurances‡.

30th Jan

6th Feb.

\* This is the narrative of Franklin; *Memoirs*, vol. i, p. 314.

† Ni conclu, ni entamé. Lord Stormont to Lord George Germaine, 22nd January, 1778.

‡ *Memoirs of Dr. Franklin*, vol. i. p. 315. The same volume shews a specimen of littleness and rancour which does no honour to the heart or mind of the Doctor. He declared in a letter (p. 311) to a friend, speaking of the treatment he had received from our government, that he kept a separate account of private injuries, which he might forgive, but did not think it right to mix them with public

The veil of mystery which was thrown over this whole transaction in some measure accounts for, though it does not justify, the contradictory statements delivered by ministers in Parliament. Mr. Fox, on the introduction of the conciliatory bills, accused Lord North (accompanying the accusation with denunciation of punishment) of adjourning the Parliament, in order to proffer terms of pacification, but neglecting the business till France had concluded a treaty with the *independent States of America*: he could rely with certainty on the truth of his intelligence; it was no light matter, and derived from no contemptible authority. Mr. Grenville joined with Mr. Fox in demanding an answer on this important subject, averring that he had received correspondent information of offensive language held by the court of France, and the march of a considerable body of forces from their interior provinces. The minister answered, with his accustomed candour, that he could not, from authority, affirm the conclusion of such a treaty; it was indeed possible, nay, too probable, but not authenticated by the ambassador. Earl Gower also intimated the probability of a war; but, on being pressed for an explanation, declared he knew nothing of a treaty having been signed between France and America, as had been reported, and would venture to say the rest of the King's ministers were equally unapprized of any such circumstance.

Shortly afterward, the Duke of Grafton recapitulated in the House of Lords the account which Mr. Fox had received, repeated his interrogation, and added that the intelligence had made so strong an impression on his mind, from the channel through which it came, that if the two secretaries of state and the whole cabinet council were to declare the contrary,

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17th Feb.  
Observations  
in Parliament.

25th Feb.

5th March.

affairs. Perhaps it was in part to liquidate this account that, when he went to Versailles to sign this treaty, he put on the very clothes he had worn before the privy council, when Wedderburne made his violent speech against him. (Letter of Dr. Priestly, published in the Monthly Magazine. Franklin's Memoirs, vol. i. p. 186.) It is said that the Queen, when she saw before her the vaunted philosopher, whose fame had been so loftily sounded, with his coadjutor, exclaimed "They are nothing but rabble, after all." (Ce n'est que canaille, après tout.)



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they could not dispel the conviction he felt of its correctness. Lord Weymouth, as a full and fair answer to the inquiry, and challenging the future recollection of the House, said he was not informed of the signature of any such treaty, or that it was in existence, or even in contemplation.

As these inquiries were intended to prove the inutility of the conciliatory bills, which the minister properly considered as the only means of divorcing America from an unnatural connexion with France, answers less explicit would have been justifiable; but the inconsistency displayed in these contradictory statements, was prejudicial to the character of administration. In fact, the intelligence that these bills were intended caused the renunciation of all mystery. It had been agreed that the treaties should be kept secret until ratified by Congress; but, when apprized of the proposed measure, the French government, to counteract any favourable result, instructed the Marquis De Noailles to make an official communication on the subject\*.

In preparation for a rupture, France artfully maintained such an influence in the continental cabinets as would secure her against hostilities while her force was employed to the injury of Great Britain. The progress and effect of these intrigues will be detailed hereafter.

In such a crisis, it was natural and politic in the British Government to attempt engaging the assistance of the great war minister, respected for his talents and his success in a former emergency, venerable for his years, idolized by the public, and dreaded by his opponents. Overtures were undoubtedly made to Lord Chatham to form a new cabinet; but how far they were authorized, what concessions were to be made, what measures pursued, or what individuals to share the powers of government, are circumstances which, if they were arranged, are at present unknown. The total overthrow of the existing administration was

Attempt to  
engage Lord  
Chatham in  
administra-  
tion.

\* Memoirs of Franklin, vol. i, p 315.

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a part of the plan; but the treaty terminated abruptly, and in a manner which has not been sufficiently elucidated\*. The friends of Lord Chatham, after the time when the negotiation ceased, retained sanguine expectations of its renewal. Lord Lyttelton, in the committee on the state of the nation, said there remained one man who greatly and wisely disapproved of consenting to render America independent; and if the continuance of war should finally be decided on, or new hostilities should be commenced in our own defence, he was still equal to conduct them with success. Mr. Grenville spoke in the House of Commons in terms still more decisive: "I think," he said, "notwithstanding all past occurrences, that the colonies may, by proper measures, be yet brought back to a state of constitutional obedience, and we may once more recover their affections. If there be a man who has served this nation with honour to himself, and glory to his country; if there be a man who has carried the arms of Britain triumphant to every quarter of the globe, and that beyond the most sanguine expectations of the people; if there be a man of whom the House of Bourbon stands more particularly in awe; if there be a man in this country who unites the confidence of England and America; is not he the proper person to treat with the Americans, and not those who have uniformly deceived and oppressed them? There is not one present who is ignorant of the person to whom I allude. You all know that I mean a noble and near relation, Lord Chatham. He is the man whom his Majesty ought to call to his councils, because the Americans revere him, and the unbiassed part of the nation would most cheerfully trust their dearest interests with him; if it should be found that to him the nation looks forward

11th Feb.

\* See authentic account of the part taken by the Earl of Chatham in a transaction which passed in the beginning of the year 1778. *Annual Register*, 1778, p. 244. et seq. and in various other publications. Probably no particulars of this transaction will ever be obtained more exact than those which will be found in the *Chatham Correspondence*, vol. iv. p. 485, to the end: and they add little to previous information, beyond the statement of difficulties and exposition of differences of views and opinions among the lords in opposition.

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"for its salvation, it is a duty which his Majesty owes to his people to avail himself of such respectable assistance." Lord North answered these observations with his accustomed sincerity. Past events did not enable him to ascertain the favourable disposition of America toward individuals or parties in either House; he believed all men and all parties equally obnoxious to them; and whenever propositions should be made, the colonies would not consider who made them, but whether the terms were adequate to their expectations. He would cheerfully resign the disagreeable task to any person who was thought better qualified, and content to accept it.

16th March.  
Lord North  
gives notice  
of an intended  
message from  
the King.

The conciliatory bills had scarcely received the royal assent, when Lord North gave notice that he should present a message from the King. Mr. Grenville, in common with the whole House, anticipating the subject, moved for copies of all communications with the ambassador at Paris, or the French ambassador at this court, relating to a treaty between France and the revolted colonies. The motion was seconded by Mr. Burke and supported by Mr. Fox, who both, with their accustomed vehemence, assailed the minister. The former, adverting to the depressed state of the public funds, which he denominated the political pulse of the country, urged that, sunk as the nation was, robbed of her treasures, injured in her honour, every step should be taken that could lead to a discovery of the counsels and of the persons who gave them, by which she had been reduced to the lowest ebb of wretchedness and disgrace. Mr. Fox referred all our misfortunes to the ignorance of the ministry. They had demonstrated their incapacity to conduct a war with what they had described as the poor, pitiful provinces of America, and were they to be trusted with one against the most powerful princes in Christendom? The nation must be roused to a sense of the wrongs they had been made to suffer. The House had been made to act a fool's part. Ought a set of men to be trusted who received their first and positive assurance

of a treaty of peace between France and America from the French ambassador? Their folly, supineness, and ignorance, proved them unworthy of their employments: but to declare them so was not sufficient; the violators of the people's rights and the spoilers of their property ought to be made to account for the injuries they had done; and Parliament, who were bound to punish, could only determine the quantum of their guilt, by demanding the papers which were required. General Conway, Mr. Hartley, and Mr. Turner, supported these opinions. Governor Johnstone, while he agreed that the ministry were incompetent to the discharge of their duties, denied that our affairs were in a situation so desperate as had been represented; and although the navy was not exactly in the condition he should desire to see it, yet he trusted that the spirit of the nation and our known superiority in maritime affairs would extricate us from every difficulty.

The Attorney and Solicitor-General defended the cause of Government; and Lord North, in reply to the severe reflections on him, repeated his indifference to the retention of his place, but honour, pride, and duty equally forbade his abdication at this moment. He thought the probable success of his conciliatory bills was shewn by the French having announced their treaty just at the time when the commissioners were setting out. He opposed the present motion, as contradictory to justice, public faith, and sound policy. He never would consent that persons who might have afforded our ambassadors useful information, should be given up to resentment and punishment.

Mr. Grenville reduced his demand to extracts only; but his motion, thus amended, was rejected in a division on the previous question\*.

The royal message stated the receipt of notice, by order of the French King, that he had concluded a treaty of amity and commerce with certain persons employed by his Majesty's revolted subjects in North America; in consequence of which offensive communi-

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The message.

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cation, the British ambassador was instructed to withdraw from Paris; and the King relied on the zealous and affectionate spirit of his people to repel insult and maintain the national reputation. The note of the French ambassador laid before the House was conceived in terms of irony and derision\*. "The United States of America," it said, "*who are in full possession of independence*, as pronounced by them on the fourth of July, 1776, having proposed to the King, to consolidate by a formal convention, the connexion begun to be established between the two nations, the respective plenipotentiaries have signed a treaty of friendship and commerce. The French King being determined to cultivate the good understanding subsisting between France and Great Britain, *by every means compatible with his dignity*, and the good of his subjects, makes this proceeding known to the court of London, and declares that the contracting parties have paid great attention *not to stipulate any exclusive advantages in favour of the French nation*; and that the United States have reserved the liberty of treating *with every nation whatever* upon the same footing of equality and reciprocity. In making this communication to the court of London, the King is firmly persuaded she will find new proofs of his Majesty's *constant and sincere disposition for peace*; that his Britannic Majesty, animated by the same sentiments, will equally avoid every thing that may alter their good harmony; and will particularly take effectual measures to prevent the commerce between his Majesty's subjects and the United States of North America from being interrupted, and to cause all the usages received between commercial nations to be, in this respect, observed, and all those rules which can be said to subsist between the two crowns of France and Great Britain. In this just confidence, the under-signed ambassador thinks it superfluous to acquaint the British minister, that the King his

\* The expression of Washington, who adds, "more degrading to the pride and dignity of Britain than any thing she has ever experienced since she has been a nation. It is not an actual declaration of war, but certainly must produce one."—Washington's Letters, vol. ii. p. 278.

“master, being determined to protect effectually the lawful commerce of his subjects, and maintain the dignity of his flag, has taken eventual measures in concert with the United States of North America.”

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Motion for an  
address.

In discussing the motion for an address, an amendment was proposed, requesting his Majesty to dismiss the ministry; but no sentiment was uttered derogatory to the representatives of a nation thus, in the person of the sovereign, wantonly and audaciously insulted. Lord North was reproached for a culpable neglect of the means of information and defence; he had suffered himself to be surprised at the notification of a treaty which appeared to have been two years under discussion; and on the eve of a war, the kingdom was destitute of adequate provision for internal safety.

Governor Pownall, without intending to vindicate the minister, explained the circumstances of the treaty, the very idea of which had not existed six, and the actual negotiation not three, months. He stated, with great exactness, the false and fluctuating conduct of the French government, tracing its variations, according to the appearances of prosperity or disaster, since the preceding month of August. After the capture of Ticonderoga, he said, the American commissioners, despairing of any effectual aid from France, attempted, through him, to commence a treaty for reconciliation, and re-establishment of peace; and even declared that although an acknowledgment of independency was a *sine qua non*, yet on that and every other point, they would use all endeavours to save the honour of their parent country. Of this intimation he had caused the government to be apprised, but received for answer that the basis of the treaty was inadmissible.

Despairing of reconciliation, the commissioners, in September or October, renewed their negotiation with France, and settled a few preliminaries, *ad referendum*, which were transmitted to America for the approbation of Congress. But when the news of General Burgoyne's disaster arrived, and when the French ministry understood Lord North's intention to bring forward a conciliatory plan, they advanced without

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hesitation toward the American commissioners, and executed a treaty on their own terms.

At the close of this interesting narrative, Governor Pownall proceeded to observe, that peace with America was yet probable, if Great Britain would pursue the proper course. "The Americans are and must be independent. We acknowledge it in our own acts; and have indeed, however we may cover our shame with words, resigned all dominion over them. They will never rescind the system contained in their four grand acts; the declaration of rights; the manifesto to all nations; the declaration of independency; and the act of confederation; but if Parliament will extend the powers of the commissioners, so far as to acknowledge their independence on conditions, they will, in return, form a federal treaty, offensive, defensive, and commercial, with us."

The compact, signed at Paris, was not yet ratified by Congress, and by a speedy and candid exertion, this country might be enabled to take advantage of the natural predilection in America, and either frustrate the French treaty, or, by entering into one on equal terms, succeed in depriving the French of all the benefits of their dexterity, since the Americans would more willingly keep their commerce in its accustomed channel, than engage with strangers, with whose language they were unacquainted. If a federal treaty were not adopted, and the Americans should ever be induced to treat on other terms, one of their first demands must be a reimbursement of expenses, and an indemnification for losses. A pecuniary remuneration was impossible; but, instead of that mode, government must sacrifice Canada, Nova Scotia, and the Newfoundland fishery; this *he knew would be insisted on*; but if independence were conceded, America could only treat on the same ground as any other independent nation, and by them indemnities were never required. He exposed the fallacy of arguments tending to show our force insufficient for resistance to the new enemy, and concluded by declining to interfere with the amendment: he was indifferent who

were or should be ministers ; but coincided in every feeling of resentment expressed by the address.

General Conway supported the principles so ably advanced by Governor Pownall, and corroborated his statements by observing, he had seen a letter from Dr. Franklin, written since the signature of the French treaty, offering peace, if Great Britain would forego the claim of supremacy : and Mr. Dundas said, he should rather wish to form a federal union than lose America, or let her fall into the hands of France.

Lord Chatham was several times mentioned in the debate, as a minister who could unite the confidence of all parties, terrify the House of Bourbon, and conciliate America ; but Lord North, repeating his disregard of his employments, observed, that as the interest of the empire required his continuance in office, he was determined not to quit the helm, until the vessel was safe in port.

The original address was carried\*.

An amendment was proposed in the upper, similar to that in the lower House ; no opposition was offered by the lords in administration, except one single remark, that it was unprecedented to clog an address with a condition, implying that a measure, right in itself, ought not to be pursued, unless something else were granted. The debate was chiefly maintained by two distinct parties in opposition, of whom some were desirous to preserve peace with France at all events, and concede the independence of America, while others felt the indignity offered to Great Britain as a justification of instant hostility ; and represented the loss of America as the termination of British prosperity : the amendment was negatived†, and the address carried‡. Addresses were also returned to a message for calling out the militia, without division or debate.

Before the receipt of the King's message, the condition of the navy had been severely scrutinized in the committee of supply ; and an account of the ships in Great Britain and Ireland being submitted to the com-

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Address in  
the House  
of Lords.

23rd March.

Debate on  
the navy.  
11th and  
16th Feb.

\* 263 to 113.

† 100 to 36.

‡ 68 to 25.



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11th March.  
Fox's motion  
in the com-  
mittee on the  
state of the  
nation.

mittee on the state of the nation, Mr. Fox founded on it a motion, that the navy was inadequate to the defence of the country. Mr. Temple Luttrell concluded a long speech, by displaying the bad condition of the ships, the neglect of supplies, and the general deplorable state of the service in every department, declaring that nothing could be clearer than the inadequacy of the naval power to the present crisis of public affairs, excepting the prostitution, mismanagement, and atrocious criminality of those ministers whom our deluded sovereign had fatally chosen to entrust with this best protection of the realm. No detailed answer was given to his statements or arguments, as the King's message respecting France was then in preparation; but Admiral Keppel took occasion to say, that if he had the honour to be employed in the service of his country, he rather wished to have a small fleet well fitted and completely manned, than a large number of ships badly equipped. The previous question was negatived without a division.

25 Feb.  
The Duke of  
Bolton's  
motion.

In the House of Lords, the Duke of Bolton moved for the personal examination of the surveyor of the navy. Lord Sandwich, while he declared that he did not wish to evade the closest investigation, resisted the proposition, as tending to injure the country by making improper disclosures; even the papers already submitted to the House afforded undue information. The motion was negatived\*; but Lord Radnor observed, that, in rejecting it for the reasons assigned, the House treated the first Lord of the Admiralty with more respect than their ancestors had shewn to the husband of the Queen of England.

31st March.  
Lord Effing-  
ham's motion.

The Earl of Effingham, accusing Lord Sandwich of gross mismanagement, moved a series of propositions, for disclosing the state of the navy during the last eight years, the ordinary estimates, and ships broken up, built, and repaired. His professed object was the enforcement of economy; there was, he said, a constant repugnancy between the estimates and the

actual expenditure, which was a gross insult to Parliament, and a shameful fallacy. Lord Sandwich made a specific defence on each head, and, comparing the present state of the navy with its condition in 1727, a period referred to by the noble mover, formed deductions highly favourable to his own administration; the British force then consisted of a hundred and ninety ships of war; it was now three hundred and seventy-three; and expenses of every kind were doubled. In the course of debate, many collateral topics were agitated; the management of Greenwich hospital, the improvidence in forming contracts, and the peculations in the dock-yards; and the first Lord of Admiralty was threatened with popular vengeance. The people would rise, and, as the Dutch had treated the De Witts, tear him limb from limb. The debate then became exceedingly tumultuous, and the motions were all negatived.

On the subject of contracts, the Earl of Effingham denounced a most scandalous want of economy in the transport service, by which, he said, an expense had been created of six hundred thousand pounds: witnesses were examined, and several resolutions tendered, which were disposed of by a vote that the chairman should leave the chair.

Colonel Barré also moved for a select committee to inspect the public accounts; charging the minister with gross negligence and ignorance in making contracts, and the House with shameful and traitorous servility in sanctioning his evasions and delusions. He analysed, with scrupulous severity, the conduct of agents and contractors; the mode of dividing profits; and censured, in unqualified terms, the contracts and agencies of Messrs. Harley and Drummond, on the Spanish, Portuguese, and British gold coin; and of Mr. Atkinson, relative to rum, and the hire of transports. But it was not wonderful, he said, that great sums had been devoured by contractors, when the minister was so criminally ignorant as not to know currency from sterling.

Lord North having explained himself with some warmth on the imputed ignorance and misconduct,

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12th March.  
Debate in the  
House of  
Lords on con-  
tracts.

30th.  
In the House  
of Commons.

18th May.

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13th April.  
Bill for ex-  
cluding con-  
tractors from  
Parliament.

and consented to the appointment of a committee, a report was presented to the House, but at too late a period to be taken into consideration.

Sir Philip Jennings Clerke took advantage of these discussions to catch at popularity, by introducing a bill for the exclusion of contractors from Parliament, unless their contracts were obtained by a public bidding. The debate on the preparatory motion was, as might be expected, a series of declamations, or of artful suggestions, designed to entrap the minister. If he considered properly his own interest, reputation, and personal satisfaction, it was said, he ought to support the motion; and contractors would be relieved from all the obloquy to which they were exposed. It was not designed to exclude those who were contractors in a fair, open, equitable manner; but the closet contractors, the private plunderers; confederates with a corrupt administration; robbing their country, and either sharing the spoil with the rest of the public conspirators, or with some others more remote from the general observation.

Many reflections were made on these persons, their characters, and gains; and Lord George Gordon, an intemperate fanatic, called the minister the greatest of all contractors; a contractor for men; a contractor for parliamentary flocks; a contractor for the representatives of the people. He sincerely wished him to save his country, and his own life; to call off his butchers and ravagers from the colonies; to retire, with the rest of his Majesty's evil advisers, from the public government, and make way for honest and wiser counsellors: "to turn from his wickedness and live." It was not yet too late to repent; the public clamour for revenge was not yet raised against him; his Majesty's troops were not yet totally defeated in America.

Such a measure, supported by such arguments, met with the deserved fate. Many who were obliged to court popularity on any terms, lent their sanction, though convinced of its futility, and, at the first convenient opportunity, abandoned the cause they reluctantly sustained. On the second reading, a motion

for the Speaker to leave the chair being negatived by a majority of two only, it was proposed to adjourn the commitment for two months, when, six members quitting the House, the question was carried, and the bill lost\*.

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4th May.

Another attempt to acquire popularity was made by Mr. Gilbert, who moved, in a committee of supply, to impose, during the continuance of the war, a tax of one-fourth part of the net annual income on all salaries, fees, and perquisites of office, exceeding two hundred pounds per annum, and all annuities, pensions, or other gratuities, issuing out of any branch of the revenue. This proposition was carried in the committee†, but rejected on bringing up the report‡.

9th March.  
Motion for a  
tax on places.

2nd April.

Propositions  
for relief of  
Ireland.

7th.

On the motion of Lord Nugent, supported by Mr. Burke, a committee of the House of Commons was formed to revise the Irish trade laws. In the committee, the noble Lord observed, that, from their unshaken loyalty, his countrymen, the Irish, were intitled to every encouragement which good and faithful subjects could deserve, and a wise and grateful government bestow; oppressive laws had hitherto been their only reward; he did not mean to offer complaints; if he did, his generous countrymen would disavow them; they saw Great Britain in distress; their resentment was hushed: and, forgetful of their wrongs, they made an unsolicited tender of their lives and fortunes. From a view of all the laws which bore hard on Ireland, he had drawn up a few resolutions, which he hoped the committee would adopt. He moved that the people of Ireland might be permitted to send on board British vessels, navigated according to law, to the coast of Africa, and other foreign settlements, all Irish manufactures, wool and woollen cloths excepted. The motion was slightly objected to, but carried without a division.

Resolutions were afterwards adopted for importing into Ireland, from the coast of Africa, all goods except indigo and tobacco; for permitting the direct exporta-

\* The division on the first motion was 115 to 113; on the second, 113 to 109.  
† 100 to 82.

‡ 117 to 141.

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Opposition.

4th May.  
Numerous  
petitions.  
6th.

tion from Ireland to all places, except Great Britain, of glass manufactured in that kingdom; permitting, by the abolition of a duty amounting to a prohibition, the importation of cotton-yarn, the manufacture of Ireland, into Great Britain; and allowing the importation of Irish sail-cloth and cordage.

During the Easter recess, a formidable opposition was formed among the trading cities and towns against the bills founded on these resolutions. The first which engaged the attention of the House was from the manufacturers of Somersetshire, against the proposed importation of sail-cloth. Mr. Burke, who through mistake moved for leave to bring in the bill, had since discovered that such a law was already in being, and observed, that if it was to be productive of the consequences stated in the petition, it was extraordinary that the petitioners omitted to complain when they were hurt, and felt so strongly when there was not even a possibility of sustaining injury. He inferred that the jealousy entertained of the other bills was equally ill-founded, and only originated in gross prejudice, or the selfish views of individuals. Petitions in unusual numbers also flowed in from all parts of the kingdom, and from many different classes of manufacturers\*.

Sir Cecil Wray, declaring it the duty of every independent man to resist the bills, because sanctioned by Lord North, endeavoured to procure the rejection of that founded on the first resolution; but Mr. Burke, who ably distinguished himself throughout the proceedings, observed that the bills before the House only restored what the wisdom of Parliament had formerly granted. The British navigation act, passed in the twelfth of Charles II, extended equally to Ireland: a kind of left-handed policy had deprived her of the freedom secured by it, and she had ever since remained under cruel, oppressive, and unnatural restrictions. Deprived of every incentive to industry, and excluded from every passage to wealth, she had inwardly lamented, but never complained of, her condition. He

\* These petitions were so numerous, that a mere abstract of them occupies 14 octavo pages, closely printed, on a very small type.

did not mean, by describing her situation, to engage the humanity of the House. The people of Ireland would not accept of favours; they called for justice, not pity; they requested Britain to be wise, not generous; to provide for her own good, and secure her own interest; wisdom and prudence would dictate, that, to accomplish these, a contrary conduct toward them was necessary. The annual revenue of the two kingdoms had been exultingly, but inequitably, drawn into comparison, to prove that Ireland paid no fair proportion. The number of inhabitants did not constitute the specific difference in the article of taxation, but the distinction of internal opulence and external advantage. According to that rule of comparison, Ireland was taxed in a quadruple proportion more than England. The internal wealth, and external advantage of trade and commerce, were forty times greater in England than in Ireland, who was taxed, although deprived of the means of payment by restrictions on trade. "Enlarge her ability to pay," he said, "and, in proportion, augment her taxes. The low rate of labour is a nugatory argument; for, till the price of labour is equal, the superiority of manufacture will remain with England. The price of labour rises with the growth of manufacture; is highest when the manufacture is best; and where the price of labour is most advanced, the manufacturer is able to sell his commodity at the lowest price." He resisted the effect of the petitions, considering them the mere offspring of conjecture. Ireland could not vie with England in manufactures; an act permitting the free exportation of manufactured iron had not been prosecuted; the only article imported under it into England was a quantity of corkscrews, which, though evidences of luxury, afforded but a feeble proof of excellence of manufacture. The bill for free importation of woollen-yarn into England had been opposed by petitions from every part of the country; yet experience compelled an acknowledgment of its beneficial tendency. It was absurd to think a participation of manufacture would be detri-

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11th May.  
Small relief  
afforded.

mental; the woollen manufacture had been planted in different parts of the kingdom; and competition had not depressed, but promoted the trade. He lamented that, in one instance, his conscience impelled him to oppose the wishes, though not the interests, of his constituents at Bristol; if, from his conduct, he should forfeit their suffrages at an ensuing election, it would stand on record, an example to future representatives of the Commons of England, that one man at least had dared to resist the desires of his constituents, when his judgment assured him they were wrong.

The House divided in favour of the bills\*; the petitioners were afterward heard by counsel; and, notwithstanding the general disposition of Parliament, and the concurrence of both sides, in not considering it as a party question, the clamour of the interested bore down the sense of the legislature; a sort of compromise was effected; most of the advantages intended for Ireland were abandoned; some enlargement was afforded to the linen trade, and some openings allowed in the West Indian and African commerce; but the whole transaction was considered rather as an earnest of future concession, than as a measure of present satisfaction.

1st May.  
Address of  
the Roman  
Catholics.

During the session, a dutiful and modest address was presented to the King, signed by nine Roman Catholic peers; Lord Surry, heir to the Duke of Norfolk, and a hundred and sixty-three other commoners, assuring him of their respectful attachment to his person and the civil constitution of the country, which, having been perpetuated through all changes of religious opinions and establishments, was at length perfected by that revolution which placed his Majesty's illustrious House on the throne, and inseparably united his title to the crown, with the laws and liberties of the people. Their exclusion from the benefits of that constitution did not diminish their reverence for it; they submitted with patience to such restrictions and discouragements as the legislature thought expedient;

they thankfully received such relaxations of rigour as the mildness of an enlightened age and the benignity of his Majesty's government had gradually produced; and submissively waited, without presuming to suggest either time or measure, for such further indulgence as those happy causes must in their own season effect. Their dissent from the establishment was purely conscientious; they held no opinions adverse to government, or repugnant to the duties of good citizens. For confirmation of this assertion, they referred to their irreproachable conduct during many years, and still professed an unalterable attachment to the cause and welfare of the country, and an utter detestation of the designs and views of any foreign power against the dignity of the Crown, the safety and tranquillity of the subject. The delicacy of their situation precluded them from indicating any particular mode in which they might testify their zeal; but they would ever be ready to give such proofs of fidelity and purity of intention as his Majesty's wisdom and the sense of the nation should deem expedient.

This sensible address probably conciliated administration toward a motion made by Sir George Savile, to repeal certain penalties and disabilities created by an act of William III\* for preventing the further growth of popery. He adverted to the peaceable and loyal behaviour of that sect under a government which, though not severe in enforcing, yet suffered such intolerable penalties and disqualifications to remain on the statutes. He drew favourable inferences from their late loyal address, and proposed a test by which they should bind themselves to support the civil government by law established. The motion, seconded by Mr. Dunning, and supported by Mr. Thurlow and Lord Beauchamp, was unanimously voted.

The bill passed rapidly through the Commons, and was but slightly opposed in the upper House. Doctor Hinchliff, Bishop of Peterborough, avowed becoming

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24th May.  
Bill for their  
relief.

Opposed in  
the House  
of Lords,  
25th.

\* 11 and 12 Will. III. c. 4.



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sentiments of liberality, but could not conceal from his own mind the genius of popery, so as to consider its religious principles altogether distinct from that political superstructure which had been raised on them; and to the support of which, should occasion offer, they might still be made too subservient. The laws for protection of the church and state should not be altered without due deliberation; according to the existing regulations, a younger son might, by professing himself a Protestant, deprive his elder brother of the estate; but, should this bill pass, an estate might be so limited as to descend only to a Catholic, and a Protestant elder brother be incapacitated by the limitation. Provision was made by the act of William for the maintenance and education of a Protestant child, during his father's lifetime, at the discretion of the Lord Chancellor; but, although the present act did not alter that regulation, no care was taken of such child after the death of his father; he might then be left destitute, because he was not a Roman Catholic.

The Marquis of Rockingham contended that the bill gave to the Catholics no greater advantages than were possessed by all other descriptions of men, and reprobated the illiberal policy of maintaining laws which subjected them to injuries and oppressions. Lord Shelburne said, when the penal clauses were proposed in Parliament, nobody approved, although no one had the spirit to oppose them, and, in proof that they were not so obsolete as was supposed, cited the case of Molony; he was apprehended and brought to trial by the lowest and most despicable of mankind, a common informing constable of the city of London, convicted of being a popish priest, and the court was reluctantly obliged (shocking as the idea was) to condemn him to perpetual imprisonment. The privy-council used every effort to give a legal discharge to the prisoner; but the laws would not allow it, nor dared the King himself grant a pardon. Lord Shelburne, however, with his colleagues in office, were so perfectly persuaded of the impolicy and inhumanity of

Passed.

the law, that they ventured to restore him to liberty\*. The bill passed without further impediment.

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In the committee on the state of the nation, Mr. Fox, guided by the papers which had been communicated to the House, moved two propositions for censuring Lord George Germaine on the subject of General Burgoyne's disaster. He expected to be answered that the plan of the expedition was the General's; but the papers proved the contrary; his plan was departed from, and altered invariably for the worse. The only motive for leaving Canada was to force his way to Albany, and join Sir William Howe; but orders were given to one party only. The first proposition was rejected on a division†, and Mr. Fox, indignantly tearing the other paper, declared he would make no more motions. On the suggestion of Mr. Wedderburne, it was voted that the failure of the expedition from Canada was not caused by any neglect in the Secretary of State; but the resolution was not reported to the House.

1778.  
19th March.  
Fox's motion  
relative to  
General  
Burgoyne.

By favour of Congress, General Burgoyne was permitted to return to England on his parole: a court of enquiry, composed of general officers, pronounced their authority incompetent to an adjudication of his case, while a prisoner on parole under the convention. He demanded an audience of the King; but was refused, on the ground of an established etiquette, which forbids the appearance at court of persons under his circumstances‡. He enjoyed, however, before the

Burgoyne's  
return to  
England.

\* In the liberal vigilance of Lord Mansfield, the Roman Catholics found effectual protection from such persecution. In a letter to the Rev. Mr. Cole (8th September, 1770, British Museum, additional MSS. 6400, No. 66, fo. 106), Father Bedingfield thus expresses himself: "As to persecution, I hope now it will cease. I don't hear of any more popish priests to be tried, since Lord Mansfield baffled that wretch Payne, who prosecuted B. Chandler. When my Lord asked him what he had to allege against the criminal, he answered, he believed him to be a popish priest. And what reason have you to believe that, Mr. Payne? were you ever at Rome? or did you see him ordained? No, replied Payne; but I heard him say *Dominus vobiscum*, and preach in a popish conventicle. Judge: And pray, Mr. Payne, may not you or I say *Dominus vobiscum*, pray in Latin, or pretend to preach? Yet I am of opinion there is not one in the court takes us for Romish priests. The poor witness, having not a word to say for himself, sneaked away, laughed at by every one." On these parliamentary proceedings in general, see Plowden's History of Ireland, vol. i. p. 458, et seqq.

† 164 to 44.

‡ Letter from General Burgoyne to his constituents.

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1778.  
26th May.  
His defence  
in the House  
of Commons.

termination of the session, a partial opportunity of vindicating his conduct, in consequence of a motion by Mr. Vyner, seconded by Mr. Wilkes, and amended by Mr. Fox, for a committee to consider the transactions of the northern army, the convention at Saratoga, and the means by which the General obtained his release. General Burgoyne declared his intention to have moved for papers of great importance, but, for the present, contented himself with supporting the amendment. He justified his mode of employing the Indians; but avowed that their services were overvalued, sometimes insignificant, often barbarous, always capricious, and the employment of them only justifiable, when, by being united to a regular army, they could be kept under controul, and made subservient to a general system. He wished, on this head, to avail himself of the evidence of M. St. Luc de Corne, who had commanded, and was well acquainted with the manners of the Indians; he denied all the ravages imputed to his army, asserting that not more than one accident by fire happened during their progress. After describing, as accurately as he could, the condition of the surrendered force, the general adverted to his own situation: an enquiry, he said, had been commenced in his absence; papers submitted to the House, imperfect in some respects, redundant in others, particularly in the disclosure of a confidential letter, the offspring of a warm and unsuspicious heart, which he had written to the Secretary of State, and of which advantage had been taken to insinuate that he solicited employ. He defended his progress in the campaign, refuting several calumnious fabrications; such as, that Generals Philips and Frazer were averse to the passage of Hudson's river, and that his army was encumbered with an enormous and unnecessary mass of artillery and baggage. The two generals were the eyes and hands with which he conducted all military operations; able advisers, faithful friends, they felt for his difficulties, but never uttered a syllable implying preference of an alternative. His communications with General Frazer were those of unrestrained friendship; affec-

tion and good wishes to his commanding officer composed the last sentence he uttered. No more artillery accompanied the army than the field train destined for the expedition when Sir Guy Carleton expected to conduct it, and all baggage of bulk, to the abridgment of many material comforts, was cheerfully left behind by the officers; some of them had not beds; many lay in soldiers' tents; and none had more than the common necessities for active service. He complained bitterly of his reception on his return; and averting all blame from his army, avowed himself the only criminal, if there was really any crime, and solicited an enquiry, "putting all the interests that hang most emphatically by the heart-strings of man, his fortune, his honour, his head, almost his salvation, on the test."

The answer to these remarks by Lord George Germaine was short: an explanation was required on three particulars, which he would afford; as to the confidential letter, it was accidentally put among the official papers, and by that means sent by the clerks with the others, for which he expressed his concern. Mons. St. Luc had introduced himself to the Secretary of State, as a man who had performed great services at the head of the savages; and in conversation asserted, that General Burgoyne was a fine officer with regulars, but did not seem to like the savages, nor did he take the proper steps to retain their good-will: he was *un brave homme, mais lourd comme un Allemand*. The refusal of access to the sovereign, till his conduct had undergone a military enquiry, was justified by precedent. His Lordship concluded, that, as military men were the most proper judges, he did not see the propriety of parliamentary interference.

The amendment and the original motion were both rejected on a division\*. The subject was entered into more at length, fresh papers communicated, and evidence examined in the next session.

In the course of this debate, Mr. Temple Luttrell

\* 144 to 95.

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1778.

Altercation  
between Mr.  
Luttrell and  
Lord George  
Germaine.

made insulting allusions to the court martial on Lord George Germaine, and his subsequent disgrace by George II. Why should he be partially acquitted to the prejudice of a gallant officer, whose only crime had avowedly been that he was too zealous, too brave, too enterprizing, too anxious for the good of his country, had strictly obeyed his orders, and performed all that British valour could effect in executing the minister's plan. Had he, on the contrary, receded from his colours, disobeyed the commands of his superiors, and hid himself from danger, such conduct would have given him pretensions to the patronage of the First Lord of the Treasury, and the honours and emoluments of the American Secretary.

Lord George Germaine replied, he never was personal in the House, nor ever by his conduct merited such an attack ; he despised the honourable member, but would level himself with his wretched character and malice ; old as he was, he would meet that fighting gentleman, and be revenged. The House called to order : the Speaker reprimanded both members, and insisted on their promise that the affair should be no further prosecuted. Lord George Germaine apologized for his warmth, and Mr. Luttrell, after attempting to escape from the House, and standing in contumacy till he had nearly been taken into custody by the serjeant at arms, acknowledged his error, and said he meant his reflections as public matter, not as private abuse or enmity.

7th April.  
The Duke of  
Richmond's  
motion for  
withdrawing  
the troops  
from Ame-  
rica.

The committee on the state of the nation closed in the House of Lords with a motion by the Duke of Richmond for an address, recapitulating the expenses, misconduct, and losses of the war, and beseeching the King to withdraw his forces from America, and dismiss the ministry. Lord Weymouth opposed it, observing that all the circumstances stated as facts had been already rejected by the committee. Our situation with respect to France should prevent the House from adopting a proposition which indicated the country to be in a defenceless state ; and to request the King to withdraw his armies, was an improper interference with

his just prerogative. The same prerogative extended to the appointment or removal of ministers ; if guilty of misconduct, they were open to public enquiry ; and, if convicted on competent proof, objects of parliamentary complaint, and of parliamentary prayer for removal. It had been asked, did ministers consider their places as their freeholds ? Did they hold them as a matter of right ? Did they deem their dismissal from employment a punishment ? Certainly not. The King, who honoured them with his commands, could, whenever he pleased, dispense with their services ; and when his Majesty thought that proper, no member of administration would consider himself punished.

Before he made this motion, the Duke of Richmond had communicated a draft of it to Lord Chatham. Aware of the wide difference in their opinions on the independence of America, of the weight and ability of the peers who espoused the same sentiments, and anxious to conciliate the sentiments of all parts of the opposition, he expressed much regret that his lordship had not attended the business in its progress through the House, and particularly that there should appear any want of that union and confidence which Lord Chatham had before strongly recommended. His Grace hoped that the difference between them was more apparent than real ; for, as both saw the impracticability of compelling America to subjection by war, it remained only to consider the more or less sanguine expectations they might form of what could be obtained by their consent. Lord Chatham's answer was cold and repulsive. After thanking his Grace for the great honour of this communication, he expressed " unspeakable concern at finding himself " under so very wide a difference with the Duke as " between the *sovereignty* and *allegiance* of America, " that he despaired of bringing about successfully any " honourable issue\*."

On the following day, struggling for a momentary victory over disease, he made his appearance in the

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1777.

Sentiments of  
Lord  
Chatham.

6th.

His appearance in the  
House of  
Lords.

\* Chatham Correspondence, vol. iv. p. 516, 518.

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1778.

House. The importance of the crisis, the character of the great statesman, and the expectation of important counsel, rendered his presence peculiarly interesting; while the languor of illness, softening, although it could not extinguish the fire of his eye, and diminishing the elation, although it could not abate the dignity of his mien, gave force to every feeling of personal affection, and suppressed every sentiment of acrimonious opposition, which a long course of parliamentary contest had excited. When, in the garb of sickness, he was led into the house between his son and son-in-law, the peers of all parties paid a voluntary tribute of respect, by standing while he passed to his proper place.

His speech.

He rose from his seat slowly and with difficulty, leaning on his crutch, and supported under each arm by his relatives. Taking one hand from his crutch, he raised it, and, casting his eyes toward Heaven, said, "I thank God that I have been enabled to come here this day to perform my duty, and to speak on a subject which has so deeply impressed my mind.—I am old and infirm—have one foot, more than one foot, in the grave.—I am risen from my bed to stand up in the cause of my country—perhaps never again to speak in this House\*." He came to express his indignation at an idea, he understood was gone forth, of yielding up the sovereignty of America! "I rejoice," he continued, "that the grave has not closed on me: that I am still alive to lift up my voice against the dismemberment of this ancient and most noble monarchy! Pressed down, as I am, by the hand of infirmity, I am little able to assist my country in this perilous conjuncture; but, while I

\* From Anecdotes of distinguished Persons by Mr. Seward, vol. ii. p. 422, 4th edit. 1800. This well-informed author adds the following circumstances: "The purpose of his speech is well known. The reverence—the attention—the stillness of the House was most affecting: if any one had dropped a handkerchief, the noise would have been heard. At first he spoke in a very low and feeble tone; but as he grew warm, his voice rose, and was as harmonious as ever; oratorical and affecting, perhaps more than at any former period, both from his own situation, and from the importance of the subject on which he spoke. He gave the whole history of the American war; of all the measures to which he had objected; and all the evils which he had prophesied, in consequence of them, adding at the end of each, 'And so it proved!'"

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1778.

“ have sense and memory, I will never consent to deprive the royal offspring of the House of Brunswick, the heirs of the Princess Sophia, of their fairest inheritance. Where is the man who will dare to advise such a measure? My lords, his Majesty succeeded to an empire as great in extent as its reputation was unsullied. Shall we tarnish the lustre of this nation by an ignominious surrender of its rights and fairest possessions? Shall this great kingdom, that has survived whole and entire the Danish depredations, the Scottish inroads, and the Norman conquest; that has stood the threatened invasion of the Spanish armada, now fall prostrate before the House of Bourbon? Surely, this nation is no longer what it was! Shall a people, seventeen years ago the terror of the world, now stoop so low as to tell its ancient inveterate enemy—take all we have, only give us peace? It is impossible! I wage war with no man, or set of men. I wish for none of their employments; nor would I co-operate with men who still persist in unretracted error; or who, instead of acting on a firm, decisive line of conduct, halt between two opinions, where there is no middle path. In God’s name, if it is absolutely necessary to declare either for peace or war, and if peace cannot be preserved with honour, why is not war commenced without hesitation? I am not, I confess, well informed of the resources of this kingdom; but I trust it has still sufficient to maintain its just rights, though I know them not. But any state is better than despair. Let us at least make one effort; and if we must fall, let us fall like men!”

The Duke of Richmond, after replying to the arguments of Lord Weymouth, directed his attention to those of Lord Chatham, for whose person and opinions he professed the highest veneration and respect; no one had a more grateful memory of the services which he had rendered to the country, raising its glory, reputation, and successes to a height never before experienced by any nation. But the name of Chatham could not perform impossibilities, or restore the country

The Duke of  
Richmond’s  
reply.



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to the state in which it stood when he was called to direct its counsels. Our finances were then in a most flourishing state, resulting from the abilities and indefatigable zeal of that able financier, Mr. Pelham; our fleet was in a respectable condition, under the direction of a most able naval officer, Lord Anson. The influence of the Crown had not reached its present alarming and dangerous height. We had, for the most part of the war, France alone to contend with; and when Spain commenced hostilities, France was reduced to the lowest ebb; her navy almost annihilated; and her principal colonies in the new world wrested from her. America then fought for us; in the present exigency, instead of Great Britain and America against France and Spain; France, Spain, and America, would be united against Great Britain. As Lord Chatham had not only omitted to point out the means of sustaining so unequal a contest, but had acknowledged he knew them not, the Duke adhered to his former opinion. No person more sincerely wished the perpetuation of American dependence; but, being convinced of its total impracticability, he was anxious to retain the colonists as allies; because, if they were not on terms of friendship with Great Britain, they must throw themselves into the arms of France; and if war was commenced on account of the late treaty, they would consider themselves bound in honour to assist their ally. The noble Earl, as a reason for war, had mentioned the inherent rights of the heir apparent and his brother: to recover those possessions by force, was now totally impracticable; but he would join in calling to a severe account those who had caused the loss of their inheritance. The provocation given by France in her conduct respecting America, did not compel the adoption of resentful measures; Queen Elizabeth openly abetted the revolt of the Spanish Netherlands, and assisted the insurgents for a series of years with men and money; Philip the Second, far from resenting, scarcely seemed to notice the circumstance. He was already sufficiently embarrassed, and did not consider himself bound,

either in honour or policy, to create more enemies than he was able to contend with; yet Philip was, at that time, the most powerful prince in Europe.

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At the close of this speech, Lord Chatham, animated with disdain, and eager to reply, rose from his seat; but the effort was too mighty for his enfeebled frame, and, after repeated attempts to retain his position, he sunk in a swoon. The House became a scene of alarm and agitation, and the debate was closed\*.

Lord Chatham's sudden illness.

Although he soon recovered from the fit, and the public entertained sanguine hope of the re-establishment of his health, this stroke was the forerunner of death. He languished a few weeks at Hayes, where he was conveyed by his own desire, and expired in the seventieth year of his age.

Death of Lord Chatham.

As soon as the event was known, Colonel Barré moved for an address, requesting that the remains of this illustrious statesman should be interred at the public expense in Westminster Abbey. Mr. T. Townshend seconded the motion, with a pathetic eulogy on the extraordinary merits of its object. Mr. Rigby thought a monument to his memory would be a more eligible, as well as a more lasting testimony of the public gratitude, than defraying the expenses of his funeral. Mr. Dunning combined both the propositions, by adding Mr. Rigby's suggestion to Colonel Barré's motion, as an amendment; and the resolution was carried, after a few approving words from Lord North, who entered the House at a late period of the debate. It is a remarkable fact, and deserving of commemoration, that, a few days before his death, Lord Chatham requested his son, Mr. Pitt, to read to him the

11th May.  
Honours paid to his memory by the House of Commons.

\* As this narrative stood in the first three editions, I have permitted it to remain; but, on authority which demands my entire confidence, I am obliged to qualify some parts. Lord Chatham could not so entirely surmount the effects of indisposition, but that his voice was feeble throughout his speech, although his articulation was as perfect as at any period of his life. The Duke of Richmond did not speak of him with appearances, although he might in words, of veneration and respect, but, on the contrary, with such indications of asperity, that Lord Chatham frequently denoted by the motion of his head, in the course of the Duke's speech, that he observed and would reply to the offensive parts of it. Before its conclusion, Lord Chatham underwent the convulsion which interrupted the debate and terminated in his death.

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last book of Pope's Iliad. When he had concluded, his lordship desired him to read again the last two verses :

" Such honours Ilion to her hero paid ;  
And peaceful slept the mighty Hector's shade."

Mr. Pitt had no doubt that in wishing a repetition of these lines, his father anticipated the honours which were, in a few days, paid to his memory by the House of Commons\*.

13th.  
Annuity an-  
nexed to his  
title.

The King readily agreed to the addresses ; and many members pronounced emphatical encomiums on the deceased peer. Lord John Cavendish hoped the first vote would not be the limit of public gratitude. As that invaluable man had, whilst in the nation's service, neglected his own interests, and, with the greatest opportunity of enriching himself, had not accumulated opulence for his family, he trusted ample provision would be made for the descendants of so honest and able a minister. This suggestion was cordially adopted, and a bill passed, in consequence of a message from the King, for annexing four thousand pounds a-year to the title of Earl Chatham, while it continued in the heirs of the deceased statesman. The munificence of Parliament was completed by a vote of twenty thousand pounds for payment of his debts.

21st May.

His debts  
paid by Par-  
liament.

13th.  
Proceedings  
of the House  
of Lords.

Lord Shelburne moved that the House of Peers should attend the funeral ; but the motion was overruled by the majority of a single vote†. The annuity bill, which passed so harmoniously through the House of Commons, occasioned a violent debate in the Lords. The Duke of Chandos opposed the grant, as an unwarrantable profusion of the public money in times of urgent distress, and as a dangerous precedent ; grants in perpetuity were taxes in perpetuity ; and ought not to be incautiously ratified by Parliament. The precedent might be extended to sanction applications of a similar nature, and proper objects would not be wanting ; Lord Hawke, Lord Amherst, and Prince

\* From private information. Mr. Gilbert Wakefield, in his edition of Pope's Homer, justly styles this " a grand couplet, and a noble conclusion of a poem, " durable with the language and literature of Britain ! The original says only " Thus they great Hector's funeral rites perform'd."

† Contents 16, proxies 3. Non-contents 16, proxies 4.

Ferdinand of Brunswick, were cited as instances where the national bounty would be unexceptionably bestowed.

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In answer, the peculiar merits of Lord Chatham were urged; and it was sarcastically suggested that the possessors of sinecure places without merit should deduct from their emoluments the provision proposed for the family of so illustrious an ornament to the British name.

In consequence of some observations by the Lord Chancellor, the whole political conduct of the deceased Earl came under review, and was by some strenuously censured, as the source of all the subsequent disasters of the country; by some partially defended, as founded on integrity, prosecuted with vigour, but occasionally deficient in consistency and wisdom; by others it was extolled in all its parts, as the prodigious effort of a superior genius, who had forced his way at a critical emergency, raised the spirits of a desponding nation, given energy to vacillating counsels, and raised the country to unrivalled glory. The supposed errors in his conduct were ascribed to the rancour of party, and to that unextinguishable spirit of envy which ought to have died with its object\*. The bill passed†.

\* The principal speakers in this debate were the Lord Chancellor, the Dukes of Richmond and Chandos, Earls of Abingdon, Radnor, Shelburne, and Camden, Lords Lyttelton and Ravensworth. A character of this illustrious statesman, equally remote from the extremes of adulation and censure, is given by Lord John Russell. "He was endowed with qualities to captivate a nation and subdue a popular assembly. Bold and unhesitating on the part he was to take on every public question; he was the master of a loud and harmonious voice, a commanding eye, an unrivalled energy, but, at the same time, propriety of language, and a light of imagination which flashed from him with brilliant splendour, and was gone, ere any one could pronounce that the speaker was fanciful or digressive. Upon every important subject, he appealed to some common and inspiring sentiment: the feelings of national honour, disgust at political corruption, the care of popular liberty, contempt of artifice, or hatred of oppression. But, provided the topic were animating and effective, he cared little whether it were one on which a wise patriot could honestly dilate; a vulgar prejudice served his turn as well as an ancient and useful privilege; he countenanced every prevailing delusion; and hurried the nation to war, not as a necessary evil, but as an honourable choice. Above all, he loved to nourish the popular jealousy of France; and it was upon his means of gratifying this feeling that he seemed to build his hopes of future power. Ever ready to be the mouth-piece of the cry or clamour of the House, he could be as inconsistent as the multitude itself: in his earlier days, when reproached with his change of opinion, he pleaded honest conviction of his error; after he had acquired authority, he faced down his accusers with a glare of his eye, and the

† 42 to 11.

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Honours paid  
him by the  
Common  
Council of  
London.20th and  
26th May.

25th May.

6th June.

7th and 8th  
June.  
His funeral.8th April.  
Debate re-  
sumed on the  
Duke of  
Richmond's  
motion.

A short protest is on the journals, signed by four peers\*.

The posthumous compliments to Lord Chatham were not confined to the Houses of Parliament, which he had adorned, instructed, and dignified by his eloquence: the Common Council of London petitioned the House of Commons and the throne for the honour of receiving his remains, and interring them in the cathedral of St. Paul's, thus rendering the noblest edifice in the British dominions the depository of one among the noblest subjects of the empire. These petitions were unsuccessful; orders having already been given for the interment in Westminster Abbey. They also petitioned for notice to attend his funeral in their gowns; but, taking offence at some point of conduct in the Lord Chamberlain, rescinded the resolution. They erected, however, a monument to his memory in Guildhall. The body, having laid in state two days in the painted chamber, was interred with great solemnity; but the ceremony was thinly attended†.

The debate, interrupted by the illness of Lord Chatham, was resumed the ensuing day. The contest was maintained between two chiefs of the leading parties in opposition; the Earl of Shelburne, and the Duke of Richmond. The Earl, cordially adopting the principles of Lord Chatham, that from the moment when Great Britain acknowledged the sovereignty or independency of America, her sun was set, and that a war with France was unavoidable, censured the arguments

\* "hardihood of his denial. Nor, although he assumed a tone of virtue superior to his age, was he more scrupulous than others in political intrigue; but his object was higher. Instead of bartering his conscience for a large salary, or a share of patronage, he aimed at undivided power, the fame of a great orator, to be the fear of every cabal, and the admiration of a whole people." *Memoirs of the Affairs of Europe*, vol. ii. p. 195. For observations on the character of Lord Chatham, far less able and less candid, see Grattans's *Memoirs*, vol. i. p. 234.

\* The Lord Chancellor (Bathurst), the Duke of Chandos, the Archbishop of York (Markham), and Lord Paget.

† Lord Chatham's funeral, Gibbon observes, was meanly attended, and government ingeniously contrived to secure the double odium of suffering the thing to be done, and of doing it with an ill grace. *Miscellaneous Works*, vol. i. p. 538. The other particulars are taken from the *Debates*; Appendix to the *Chronicle* in the *Annual Register* for 1778; and the *Chatham Correspondence*, vol. iv. p. 629, where the various inscriptions on monuments to his memory are recorded.

tending to inspire despondency: Great Britain had means sufficient, both in population and finance, to resist America, France, and Spain, united. The Duke of Richmond fully acceded to our ability to cope with France and Spain; but America must be our ally, or at least neuter; he was for an immediate concession in independency: both agreed in condemning the conduct of ministers, but they did not interfere in the debate, either to vindicate themselves or deliver an opinion: the motion was negatived\*.

Notwithstanding the length and activity of the session, motions were ineffectually made in both Houses to prevent an adjournment. The King returned thanks for their zeal in supporting the honour of his crown, and their attention to the real interests of his subjects, in the wise, just, and humane laws which had resulted from their deliberations. His desire to preserve the tranquillity of Europe had been uniform and sincere; the faith of treaties and the law of nations his rule of conduct, and his constant care to give no just cause of offence to any foreign power; "let that power, by whom this tranquillity shall be disturbed," he said, "answer to their subjects, and to the world, for all the fatal consequences of war." He trusted the experienced valour and discipline of his fleets and armies, and the loyal and united ardour of the nation, armed and animated in the defence of every thing dear to them, would defeat all enterprises of the enemy, and convince them how dangerous it was to provoke the spirit and strength of Great Britain. He had no other wish or object but to deserve the confidence of Parliament, and the affections of his people.

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XXXIII.

1778.

2nd July.  
Adjournment  
of Parliament.  
King's speech.

## CHAPTER THE THIRTY-FOURTH.

1778.

Expeditions from Philadelphia.—State of the British army—and of that under Washington.—Treachery of Congress toward Burgoyne's army.—Drafts of the conciliatory bills sent to Congress.—Their resolutions.—Effects of the measure.—Arrival of the French treaty.—Its effect.—La Fayette's expedition to Barren-hill.—Sir William Howe recalled.—Superb festival, called Mischianza.—Arrival of the Commissioners.—Passport refused to their Secretary.—Terms proposed by them to Congress.—Answer.—Explanatory letter of the Commissioners.—Pretended offers of bribes.—Discussions respecting Governor Johnstone.—Manifesto of the Commissioners.—Resolutions.—And counter-manifesto of Congress.—Evacuation of Philadelphia.—Severities exercised against loyalists.—Judicious retreat of Sir Henry Clinton.—Action at Monmouth-court-house.—British army go to New York.—Disgrace of General Lee.—Sailing of the Toulon squadron under D'Estaing.—Pursued by Byron.—The French arrive at the Chesapeake.—Expedition against Rhode Island.—Actions at sea.—The Americans repulsed at Rhode Island.—Lord Howe resigns the fleet to Admiral Gambier.—Expedition to Buzzard's Bay.—Surprise of Colonel Baylor.—Attack on Egg Harbour.—Pulaski's legion cut to pieces.—Reduction of Georgia.—Destruction of Wyoming.—And other settlements.—Disappointments of Byron.—D'Estaing sails to the West Indies.—Capture of Saint Pierre and Miquelon.—The French take Dominica.—The English Saint Lucie.—Indignation of the Americans against D'Estaing.—His proclamation to the Canadians.—Washington refuses to co-operate in attacking Canada.—Hatred of the Americans toward the French.

WHILE they remained in winter quarters at Philadelphia, the British army confined their efforts to foraging parties; one, under Colonel Mawhood, made a successful excursion to New Jersey, and defeated superior detachments of Americans with great loss. Colonel Abercrombie and Major Simcoe surprised a portion of American baggage, and returned without disaster, though their co-operation was not so complete as was originally projected. Major Maitland and Captain Henry of the navy, destroyed a quantity of stores and forty-four American vessels, which had escaped up the Delaware after the capture of Mud Island.

These unimportant exploits, however gallant and well conducted, were insufficient to atone for the want of some capital enterprize during the long winter. The army exhibited a contrast of immoderate luxury, and excessive misery. Gaming was carried to a ruinous extent; and the grave, staid inhabitants of Philadelphia, were shocked and insulted by some young officers, who introduced into their sober families females of exceptionable character. The vigilance of General Washington, and the extreme severity with which he punished the peasantry for attempting to bring provisions to market, occasioned continual scarcity of necessaries; and the inhabitants, offended by the dissipation of the army, and the pressure of calamity occasioned by their presence, became inimical to the British government. Individuals avowedly friendly to Congress were, through negligence, allowed to reside in the city; and by conveying intelligence to the enemy of intended movements, enabled them to impede supplies, and harass small foraging parties.

Before he retired to Valley Forge, General Washington found himself beset with difficulties and assailed by vexations, which in a mind less firm and patriotic would have produced disgust or despair. While he was laboriously promoting the cause of his country, balancing the relative difficulties of enterprize and delay, and awaiting the result of events and accidents, a combination against him was formed in the army, and not without favourers and supporters in

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1778.

Expeditions  
from Phila-  
delphia.

March..

4th May.

7th May.

State of the  
British army.

American  
army.  
The Conway  
cabal.



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XXXIV.

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Congress. It was styled the Conway cabal, from the name of its most active and ostensible leader, Brigadier-General Conway. He was an Irishman who claimed consideration in the American service, from having been thirty years engaged in that of France. His chief coadjutors were General Gates and General Mifflin. These two officers were Englishmen, and had been refused an expected promotion by the Commander-in-Chief. After the achievement at Saratoga, the importance of Gates seemed to be increased, and his expectations were enlarged. His correspondence, far from being cordial and friendly, was marked, as Washington described it, with "an air of design, a want of candour in many instances, and even of politeness." A striking instance occurred after Burgoyne's surrender, when Gates made a direct communication to Congress, without that, which, if not military duty, courtesy at least would have required, any notice whatever to Washington. By the machinations of these intriguers, doubts of the courage and conduct of the Commander-in-Chief were disseminated, particularly in anonymous letters to the President of Congress and the Governor of Virginia, replete with unfounded censures and untrue assertions. Attempts were even made to unite La Fayette in this faction; but, to his honour, he refused every advance, and omitted no opportunity publicly or personally to testify his regard and respect for the injured General. Washington was not unapprized of the machinations against him, but did not suffer his temper to be ruffled, his zeal relaxed, or his labours intermitted. He sought no exposure of the malice of his enemies, nor would he enter upon a vindication of his measures at the expense of making disclosures which might have been detrimental to the state. His forbearance met its due reward: Conway, dangerously wounded in a duel with an American officer, wrote, as he thought from his death-bed, a confession of his errors, and an acknowledgment that the late object of his malice was "a great and good man, and intitled to the love, veneration, and esteem of the United States." Gates pro-

bably expected to succeed to Washington's station; but in this he would have been exposed to disappointment, as the party in Congress who favoured his proceedings were strongly prepossessed in favour of General Lee, whose exchange was speedily expected. Time and the conduct of the Commander-in-Chief put an end to all these hopes; Gates remained in his original position, and they who expected to rise by his elevation were fortunate in not encountering a fall\*.

After his unexpected recovery, Conway returned to France, and no more was the object of notice.

In his huts at Valley Forge the General experienced, with aggravations, all the difficulties of the preceding winters. He was destitute of every necessary; disease consumed, and desertion thinned his army; at one period he was reduced to less than four thousand men, and his cannon fixed to the ground by the frost: but he made indefatigable exertions to remedy these inconveniences, of which he gives an alarming picture in one of his letters to Congress: "Our distress for arms and clothing," he says, "is amazingly great; we have many men now without firelocks, and many coming in, in the same predicament; and half the army are without shirts. Our condition, for want of the latter and blankets, is quite painful; of the former, very distressing. The doctors attribute, in a great degree, the loss of hundreds of lives to the scarcity of clothing; and I am certain hundreds have deserted from the same cause†." In vain experiments were tried to engage the Indians; in vain Congress issued requisitions for the enrolment of forces in the different states; men could not be induced to encounter the severities of winter, without view of service or probability of relief; the General did not expect any important accession of force till toward June‡; and he was not free from apprehensions of mutiny. The desertion of the troops

\* Sparks's Life of Washington, vol. i. p. 266 to 275.

† See Washington's Letters, vol. ii. p. 280. See also a letter from the committee to Congress, in Stedman's History of the American War, vol. i. p. 312.

‡ See Washington's Letters, vol. ii. p. 262, 274.

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Treachery  
of Congress  
toward  
Burgoyne's  
army.

January 8.

was countenanced by frequent resignations of officers, of whom upward of two hundred threw up their commissions in the space of six months\*. Nor was this distressing consequence of the short-sighted parsimony of Congress remedied, till, in compliance with the judicious suggestion of their General, they allotted to the officers half-pay for seven years after the war; a bounty which was subsequently extended to the period of their lives†.

Parsimony was not the only vice of Congress against which General Washington ventured to remonstrate. By the convention at Saratoga, Boston was designated as the place where the British troops were to wait for a conveyance home: General Burgoyne applied to Congress for leave to change this place for Rhode Island, or some other more convenient port; but the American representatives, recollecting that if these forces were restored to Great Britain, they might be rendered serviceable in garrisons, and an equal number detached in their stead, not only refused the General's request, but prohibited the embarkation of the captive troops, until a distinct and explicit ratification of the convention of Saratoga should be properly notified by the court of Great Britain to Congress. The reason assigned for this determination is, that General Burgoyne's letter to Gates, treating the detention of his army and some acts relative to their treatment as infractions of the convention, was a strong indication of his intention, and afforded just grounds of fear, that he would avail himself of such pretended breach of the convention to disengage himself and army from their obligation to the United States, and that their security in his personal honour was thereby discharged. This infamous perfidy was palliated by pretended suspicions that General Burgoyne's men would join the army at New York, and by allegations equally frivolous and false, of their having already broken the convention.

\* Washington's Letters, p. 252.

† Ramsay, vol. ii. p. 98. Sparks's Life of Washington, vol. i. p. 276, et seq.

A marked distinction was made between the British and German troops, although all were included in the same compact: neither were treated well; but hardships and indignities, not sparingly shewn to the one body, were accumulated on the other. When, at a subsequent period, Sir Henry Clinton wrote to Congress, requiring the discharge of the troops, detained in direct contravention of the treaty, and offering to renew, in the name of the King, and by express and recent authority, all the conditions stipulated by General Burgoyne, the Secretary, by their command, wrote, that "the Congress of the United States made "no answer to insolent letters." Franklin's recommendation of an unlimited issue of paper had already been carried to such an extent, that it had become worth less than one fifth of its nominal value; but these rapacious plunderers presented an account of monies disbursed for the wretched support they afforded the prisoners amounting to one hundred and three thousand pounds sterling, which they would receive only in hard money, at the rate of a silver for a paper dollar\*. General Washington remonstrated with force and firmness against this national act of dishonour, which he represented alike injurious to the cause in the breasts of Britons, foreigners, and even their own American adherents†; but his reasonings were vain; and, notwithstanding the most explicit and candid offers and assurances, the terms of the convention were not complied with.

To counteract the views of France in her late treaty, the British ministry, before the passing of the conciliatory bills, transmitted drafts to America, that a ratification by Congress might not be obtained by surprise, while the country was yet ignorant of the terms on which an accommodation with the parent-state might be obtained. Sir William Howe circulated copies: General Washington also transmitted some to Congress, with expressions of apprehension that the measure might be successful in detaching adherents

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September  
19, 28.

Drafts of the  
conciliatory  
bills sent to  
Congress.

21st April.  
Their reso-  
lution.

\* State Papers.

† See Washington's Letters, vol. ii. p. 266.

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from their cause\*. A committee appointed to investigate the proposals, rejected them without hesitation. Their report, which was produced in a single day, was more than ordinarily petulant and virulent; the bills were analysed, and declared to shew in a clear point of view the weakness and wickedness of the enemy: weakness, because they receded from former pretensions; wickedness and insincerity, as the bills were intended only to operate on the hopes and fears of the people, and make them languid in pursuing the war†; and it was decreed, that any individual, or body of men, making separate or partial conventions with commissioners under the crown of Great Britain, ought to be treated as open enemies. No conference or treaty could be held with the commissioners, unless, as a preliminary, they either withdrew the fleets and armies, or in express terms acknowledged the independence of America. These resolutions were accompanied with an exhortation to the colonies to complete their quotas of men; and followed by a promise of pardon, under strict restrictions, to those who had appeared in arms against them‡.

23rd April.

Effects of this  
measure.

These proceedings fully verified the predictions that the minister's ductility would not be attended with the desired effect, and that he did not, like the spear of Achilles, possess the power of healing the wound he had himself inflicted§. The American friends of Great Britain, attempting to circulate these propositions, enabled their opponents to assert, that, instead of seeking peace by the ordinary modes of negotiation, with powers legitimately constituted, government aimed at an undue influence over the people, and hoped to obtain by their impatient clamours that which the sagacity of their rulers would withhold||.

\* Washington's Letters, vol. ii. p. 266.

† In publishing this vote in the *Pennsylvania Gazette*, the editor quoted as prophetic a passage in Mr. Burke's speech on Conciliation with America (22nd March, 1775; Works, 8vo. vol. iii. p. 47):—"Conciliation failing, force remains; but force failing, no further hope of reconciliation is left. Power and authority are sometimes bought by kindness; but they can never be begged as alms by an impoverished and defeated violence."

‡ See the resolutions in Almon's Remembrancer, vol. vi. p. 163.

§ Gibbon's Posthumous Works, vol. i. p. 561.

|| For this whole transaction, see Sparks's Life of Washington, vol. i. p. 285.

Shortly after these resolutions had passed, Silas Deane arrived, and notified the accomplishment of the treaty with France. The expectation of this event had long animated the Americans, and influenced the decisions of Congress. The probability of a war between Great Britain and France had long been maintained\*, and Congress asserted that the British cabinet proposed the conciliatory bills only in consequence of their alarm at such a juncture†. The hesitation of the French court in ratifying the treaty did not permit them to be too confident; but they knew they could always retract resolutions formed before the proposition to the House of Commons had been sanctioned with all the legislative forms.

The confirmation of the French alliance was received with unbounded joy, as the test and guaranty of American independence. Congress made a partial publication of the treaty, ascribing the most noble and disinterested views to the French King, who would rank among the greatest heroes of history, and whose example would decide the rest of Europe. Spain and Germany would join without delay: Russia and Denmark were not adverse to them; and the King of Prussia had declared to their envoy, that he would be the second power in Europe to acknowledge their independence‡. La Fayette, who flattered himself that his remonstrances had considerably influenced the decision of his court, communicated the event with childish transport to the sedate general of the Americans; the brigades were assembled, the chaplains offered up public thanks to Almighty God, and delivered discourses suited to the occasion. A *feu de joie* was fired, and, on a signal given, the air resounded with "Long live the King of France." The celebration was concluded with an entertainment distinguished by patriotic toasts, music, and the usual demonstrations of joy, and not disgraced by any irregularity§.

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2nd May.  
Arrival of the  
French treaty.

4th May.  
Its effect.

\* Washington's Letters, vol. ii. p. 215.

† Almon's Remembrancer, vol. vi. p. 163.

‡ Sparks's Life of Washington, vol. i. p. 289.

§ Idem, vol. vi. p. 167.

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La Fayette's  
expedition to  
Barren Hill.

9th May.

20th.  
His imminent  
danger ;

and escape.

From the moment of his joining the American army, La Fayette had impatiently desired to be intrusted with some distinguished command. His continued solicitations occasioned considerable embarrassment to the American general\* ; but on the present occasion it was judged necessary to indulge him ; and he was therefore detached, with nearly three thousand men, to take post on Barren Hill, seven miles advanced from the camp of Valley Forge, on the opposite side of the river, for the purpose of moving between the Delaware and Schuylkill, restraining the British parties, procuring intelligence, and acting as circumstances might require†. This position was not judiciously chosen ; it was too distant from Philadelphia to effect any important purpose, and too near to be secure against a well-concerted enterprize. General Grant, at the head of five thousand select troops, was dispatched from Philadelphia to surprise La Fayette, and reached, undiscovered, a point in his rear, between him and General Washington's camp. Here the road forked ; one branch led to Barren Hill, at the distance of a mile ; the other to Matson's Ford across the Schuylkill, at the same distance. In the course of the night, another detachment from Philadelphia, under General Grey, proceeded along the western branch of the Schuylkill, and stationed themselves at a ford two or three miles in front of La Fayette's right flank, while the remainder of the British army advanced to Chesnut Hill. His retreat was thus cut off from every passage but Matson's Ford ; and as the line from his position formed the base of an obtuse-angled triangle with the two roads, his distance from it was much greater than that of the British. The confused galloping of a reconnoitring party of horse, indicated their having discovered the approach of the British ; La Fayette was soon observed retreating with precipitation toward Matson's Ford, through the low woody grounds which border the river. In vain were these favourable circumstances mentioned by Sir William Erskine to

\* Washington's Letters, vol. ii. p. 216.

† Idem, vol. ii. p. 279.

General Grant; he obstinately persevered in advancing to Barren Hill, from which La Fayette had already retreated, and, after some delay, began a pursuit along the same tract which the enemy had taken. In their precipitate flight, the Americans had crossed the Schuylkill, leaving six field-pieces as an useless incumbrance; but the dilatoriness of the pursuit emboldened them to return and recover this artillery, and the whole corps, which was considered as inevitably destroyed, escaped with no other loss than forty men. General Washington, in despair, had broken down his bridge from Valley Forge across the Schuylkill, being insufficient in force to succour his volunteer ally, and apprehensive lest the success of the British arms should be turned against himself. The failure of the enterprize against La Fayette was the more mortifying, from the critical period at which it occurred, and the importance of success on the events either of war or negotiation.

Since the termination of the last campaign, Sir William Howe had been soliciting his recall; he felt, it appears, some jealousy, that confidence was not extended to him, nor due attention paid to his recommendations; a charge not considered as well founded by those who compared his means of achievement with the results of his efforts, and which afterward gave rise to serious discussions in Parliament. He received permission to retire, and at his departure was gratified with the sincerest, and perhaps the most splendid homage to his personal character, which was ever paid by an army to its general. At the expense of twenty-two field officers, a festival was prepared, called the Mischianza, forming a brilliant exhibition of ancient chivalry and modern politeness. Knights and squires, superbly accoutred, tilting in honour of ladies, who in magnificent Turkish habits distributed the rewards of valour; a promenade with music, a splendid supper, and a ball, terminated the festivities; a faro-table was not forgotten, and every part of the entertainment was distinguished by complimentary mottos and devices. In descanting on such a mark of

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Sir William  
Howe re-  
called.

14th April.  
Superb festi-  
val, called  
Mischianza.  
18th May.



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Arrival of  
the com-  
missioners.

6th June.

Passport  
refused to  
their secretary.9th June.  
Terms pro-  
posed by them  
to Congress.

esteem, it would savour of cynical moroseness to examine whether all expressions of applause tendered to the General were just in their utmost extent; but the suffering loyalists, and many others, thought the generals, officers, and army, might have been better employed\*.

Soon after the chief command had devolved on Sir Henry Clinton, Lord Carlisle, Governor Johnstone, and Mr. Eden, the commissioners appointed by the conciliatory act, arrived at Philadelphia. Application was made to General Washington for a passport for their secretary, Dr. Ferguson, to convey overtures to Congress; but this favour being refused as not within the province of the Commander-in-Chief, the letters were forwarded by common military posts. The terms which, in pursuance of their power, the commissioners proposed to America, promised happiness more permanent, and charters more extensive, than could, according to the common chances, be derived from the alliance of any European state; more real freedom than, under all circumstances, could be expected to flow from an acquiescence in their unsupported independence, and more permanent prosperity than successful warfare or multiplied alliances could entitle them to anticipate. They offered to concur in every satisfactory and just arrangement for procuring a cessation of hostilities by sea and land; a renewal of free intercourse; revival of mutual affection, and restoration of the common benefits of naturalization throughout the empire; the extension of free trade; an agreement that no military force should be maintained in America, without the consent of general Congress, or particular assemblies; and concurrence in measures calculated to discharge the debts of America, and raise the value and credit of the paper circulation. To perpetuate the union, a reciprocal deputation of an agent or agents from the different states was proposed, who should have a seat and voice in Parliament; and those from Britain, a seat and voice in the assemblies of the different states

\* See account of the Mischianza in the Annual Register, 1778. Appendix to the Chronicle.

to which they might be deputed. It was finally proposed to establish the legislative powers in each particular state, to settle its revenue, civil and military establishment, and acknowledge its right to exercise a perfect freedom of legislation and internal government, so that the British states throughout America, acting with the mother-country in peace and war, under a common sovereign, might have the irrevocable enjoyment of every privilege which did not imply a total separation of interest, or was consistent with that union of force on which the safety of their common religion and liberty must depend. The commissioners noticed with due severity the insidious interposition of a power which, from the first settlement of the colonies, had been actuated by enmity to them as well as to Great Britain; and, notwithstanding the pretended date or present form of the French offers to America, yet it was notorious that these were made in consequence of plans of accommodation previously concerted in Great Britain, and with a view to prevent reconciliation and prolong the war.

When this dispatch was read in Congress, the members most infatuated with the predilection for French alliance, opposed a further hearing, as insulting to the King of France. The debate was so earnestly maintained that it became necessary to adjourn from Friday till Monday, when the letter was referred to a committee of five. They prepared the draft of an answer, which was approved and transmitted to the commissioners. It stated that nothing but an earnest desire to spare the further effusion of human blood, could have induced them to read a paper containing expressions so disrespectful to his most Christian Majesty, the good and great ally of the states, or consider propositions so derogatory to the honour of an independent nation. The acts of the British Parliament, the commission from the King, and the letter of the commissioners, supposed the people of America subject to the crown of Great Britain, and were founded on an idea of dependence utterly inadmissible. Congress were inclined to peace, notwithstanding the

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13th June.  
Debates.

16th.

17th.  
Answer.

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Explanatory  
letter of the  
commis-  
sioners.  
17th July.

unjust claims from which the war originated, and the savage manner in which it had been conducted; they would, therefore, be content to enter on a consideration of a treaty of peace and commerce, not inconsistent with treaties already subsisting, when the King of Great Britain should demonstrate a sincere disposition for that purpose, the only solid proof of which would be an explicit acknowledgment of independence, or the withdrawing of his fleets and armies.

Unwilling to abandon their cause till quite desperate, the commissioners addressed to Congress an explanatory paper. On the required acknowledgment, they said "We are not inclined to dispute the meaning of words; but, so far as you mean the entire privilege of the people of North America to dispose of their property and govern themselves without reference to Great Britain, beyond what is necessary to preserve that union of force in which our mutual advantage and safety consist, we think that so far independency is fully acknowledged in the terms of our letter; and we are willing to enter on a fair discussion of all the circumstances that may be necessary to insure or even to enlarge that independency." They assigned, as a reason for not withdrawing the fleets and armies, the danger of the measure to those of the colonists who had espoused the cause of Great Britain, and the necessity of precaution against their ancient enemy. How soon it should follow the first reciprocal advances to peace, would depend on the favourable prospect Congress should give of a reconciliation with their fellow-citizens, the loyalists of America, and with those in Great Britain. They declared their judgment not biassed by any probable military events, but that their first proposition should in all cases be the rule of their conduct; and claimed from Congress a disclosure of the treaty with France, which that body avowed as influencing their conduct, but of which the commissioners had no means of forming an adequate judgment.

To this letter the Congress resolved that no answer should be given.

18th.

These haughty proceedings convinced the commissioners of the ascendancy of the French party, and the inutility of further attempts. Individual members of Congress, apprehensive that their constituents would not be satisfied with the rejection of so desirable an alliance with their parent-state, while the boon of independence was begged from their habitual enemy, published insulting and scurrilous comments, without disguising their interference, or disclaiming their anonymous productions\*.

Under a pretence of private information of an attempt by Governor Johnstone to corrupt Joseph Reid, one of their members, Congress ordered that all letters received by members, or their agents, of a public nature, should be laid before them. In consequence of this resolution, a letter written by Governor Johnstone to Francis Dana, in which he related some private anecdotes respecting the French treaty†, and two others from the same commissioner to General Joseph Reid‡ and Robert Morris§, were produced. In these epistles, as well as one previously read in Congress, he imprudently extolled the exalted characters of the members, mentioning his exertions in behalf of America in the House of Commons, and intimated that views of personal aggrandizement, if entertained either by members of Congress or of the military body, might be fully gratified by forwarding a reconciliation with Great Britain. In aid of these imperfect intimations, a supposed conversation was narrated between General Reid and *a married lady of character, having connexions with the British army*, who informed the General that Governor Johnstone had expressed favourable sentiments of him, and wished to engage his interest in promoting a re-union between Great Britain and America; for which service, if con-

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Publications  
by members  
of Congress.

Pretended  
offers of  
bribes.  
9th July.

\* See some of these Letters by Samuel Adams and William Henry Drayton, in Almon's Remembrancer, vol. vi. pp. 300, 307, vol. vii. pp. 19, 20. See also Ramsay, vol. ii, p. 74.

† Dated 10th June.

‡ Dated 11th April, nearly two months before the Governor's arrival in America.

§ Dated 16th June.

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1778.

11th Aug.  
Resolutions  
respecting  
Governor  
Johnstone.26th.  
Answer of  
the commis-  
sioners.

sistent with his principles and judgment, he should receive ten thousand pounds, and any office in the colonies in the King's power to bestow. This bountiful offer, made by an unauthorized married lady, after the evacuation of Philadelphia by the British army, the General refused. "He was not," he said, "worth purchasing; but, such as he was, the King of Great Britain was not rich enough to do it\*."

Upon this vague information, and two general paragraphs in the governor's letters, congress founded resolutions, That they could only be considered as daring and atrocious attempts to bribe and corrupt their integrity; and demonstrated their highest and most pointed indignation, by pronouncing it incompatible with their honour to hold any correspondence with Governor Johnstone, or to negotiate with him in affairs interesting the cause of liberty and virtue†. The other commissioners disclaimed all knowledge of the transaction‡, and Governor Johnstone, in an angry declaration, declined continuing to act in his commission. He reproached Congress with their perfidy toward the army of Saratoga; and their resisting, through motives of ambition, the liberal offers of the British government; while they publicly prostrated themselves before a French ambassador, and entered

\* When about to depart from America, Governor Johnstone wrote to Dr. Adam Ferguson, expressly denying the truth of Mr. Reid's statement, so far as it applied to him. Dr. Ferguson published the letter, and averred that the Governor had deposited in his hands proofs of the truth of its contents, though he was prohibited by express injunctions, and the fear of exposing individuals to the cruel persecution of Congress, from making them public. See Remembrancer, vol. vii. p. 336.

† See this declaration, Almon's Remembrancer, vol. vii. p. 14, and Governor Johnstone's Letters at length, same vol. pp. 8, 9, 10.

‡ In the course of this letter, the commissioners descanted at large on the mode in which the treaty with France had been granted; they described that nation as a known enemy to all civil and religious liberty, and observed, that on a review of her whole conduct, her designs, the ungenerous motives of her policy, and the degree of faith due to her professions, would become too obvious to need illustration. La Fayette, with characteristic petulance and absurdity, founded, on this joint public paper, a challenge to single combat, which he addressed to Lord Carlisle: the English nobleman said, he found it difficult to return a serious answer; La Fayette ought to have known that he was responsible to his King and country alone, and not to any individual, for his public conduct and language. If his opinions or expressions were not retracted in public, he should never give an account of them, much less retract them, in private. This deservedly contemptuous answer terminated the correspondence. The letters are in Almon's Remembrancer, vol. vii. p. 174.

into a league with the inveterate enemies of both countries\*.

The further correspondence with Congress was of small moment: the commissioners had already made a requisition to fulfil the convention of Saratoga, which was with equal perfidy and stubbornness refused. After several unavailing efforts to attain this point, they published a manifesto and proclamation, addressed separately to the Congress, the general assemblies and conventions of provinces, the people at large, the ministers of religion, and the lovers of peace. The members of Congress were reminded of their responsibility to their country, to the world, and to God, for the continuance of the war, and its concomitant miseries. The commissioners did not desire to obtain the objects of their pursuit by fomenting popular divisions and party cabals; but it was their wish, and their duty, to encourage and support individuals or bodies in their return to loyalty and amity; and if separation from Great Britain was pursued through the medium of a pretended alliance with France, the whole nature and future conduct of the war must be altered. Policy and benevolence had hitherto restrained the extremes of hostility, in distressing a people still considered as British subjects, and desolating a country, shortly to become again the source of mutual advantage; but when that country professed the unnatural design, not only of estranging herself from the mother-country, but of mortgaging herself and her resources to an inveterate enemy, the contest would be changed; and the question would be, how far Great Britain might destroy, or render useless, a connexion contrived for her ruin, and for the aggrandizement of France. Under such circumstances, the law of self-preservation directed, that, if the British colonies were to become an accession to France, the acquisition should be rendered of the smallest possible value. General pardons were proffered to all who should withdraw from the service of Congress within forty days, and to the colonies at large, or separately, a

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1778.

7th Aug.  
Correspondence about  
Burgoyne's  
army.  
26th.

3rd Oct.  
Manifesto of  
the commis-  
sioners.

\* Remembrancer, vol. vi. p. 14. See also Stedman, c. xxvi.

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10th Oct.  
Resolutions.

general or separate peace, with the revival of their ancient government, secured against future infringement, and protected from British taxation.

Congress answered this manifesto by resolutions, exhorting the people, when the King's troops should begin burning or destroying any town, to retaliate on the houses and properties of all tories and enemies to American independence, and secure their persons; abstaining however from wanton cruelties, as Congress would not imitate their enemies, or their German, negro, and copper-coloured allies.

30th.  
And counter-  
manifesto of  
Congress.

In conformity with these observations, they also issued a counter-manifesto, vaunting, with the solemnity of a religious appeal, their clemency and philanthropy, and reproaching the subjects of Great Britain with devastating the open country, burning defenceless villages, and butchering American citizens. Their prisons had been the slaughter-houses of soldiers, their ships of seamen, and cruel injuries were aggravated by gross insults. Foiled in a vain attempt to subjugate the unconquerable spirit of freedom, the commissioners had meanly assailed the representatives of America with bribes, deceit, and servile adulation. They mocked humanity by wanton destruction, religion by impious appeals to God, whilst violating his sacred commands, and mocked reason itself, by endeavouring to prove that the liberty and happiness of America could safely be intrusted to those who had sold their own. Stung by merited contempt, they had solicited individuals to break the bonds of allegiance, and imbrue their souls with the blackest of crimes; but, fearing that none could be found sufficiently wicked for that purpose, they had endeavoured to influence the weak, by threatening more wide devastation. In conclusion, Congress declared, that if the British army presumed to execute their threats, or persisted in their career of barbarity, exemplary vengeance should deter others from similar conduct.

Evacuation of  
Philadelphia.

If the treaty with France was calculated to raise the spirits and confirm the pertinacity of Congress, the evacuation of Philadelphia by the British troops

tended to increase the effect. This measure was not unexpected; it was known to be in contemplation before the arrival of the commissioners\*; and, although the policy of the measure was evident, it was regarded as a proof of alarm and weakness. In contemplation of a French war, the British ministry ordered the removal of the troops from Philadelphia, which was situate a hundred miles from the sea, and accessible only by a winding river, to New York, a more central position, and a commodious and desirable residence for the army. On the occupation of Philadelphia, it has been judiciously observed that it actually availed nothing. Fortified on the land-side and guarded by a formidable fleet in the river, it afforded to the British army a resting place for eight months; this was the whole fruit of the bloodshed and victory. New York would have afforded the same, without the trouble of a campaign, and at much less cost†; but another consequence flowed from the occupation of this city, and the misrule and want of discipline which had prevailed there, which strongly tended to verify Franklin's prophecy: a great number of British soldiers, who had formed matrimonial and other connexions, deserted during the march, and returned to the city which had become their home‡.

Sir Henry Clinton never affected to conceal his intention; but, on the contrary, gave notice to General Washington of the time and course of his retreat. He evacuated the city without impediment, though the Americans took possession before the whole army had departed. Clinton's march was encumbered by a great body of loyalists, who, with their whole property, followed the army; they were driven to this necessity by the cruelty of Congress, who, in opposition to the sagacious and humane advice of General Washington, adopted no resolution for rendering their continuance

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18th June.  
Able retreat  
of Clinton.

Severities  
exercised  
against the  
loyalists.

\* Washington's Letters, vol. ii. p. 281, 286.

† Sparks's Life of Washington, vol. i. p. 289.

‡ Ibid, vol. i. p. 300. Sparks estimates the number at six hundred, but he adds that many others deserted; and Dr. Holmes's American Annals, vol. ii. p. 329, states it as nearly a thousand.



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Slow march  
of the British  
army.

in Philadelphia secure\*: the property of those who remained was confiscated, their persons banished or imprisoned, and two respectable Quakers, Roberts and Carlisle, suffered death.

The British army, thus encumbered, embarrassed with difficult roads, and extending twelve miles in length, proceeded slowly. Washington had sent parties forward to break down the bridges and harass the march; yet he kept a respectful distance, suspicious that his adversary was endeavouring to lure him from his advantageous situation and force an engagement in the lower country; or that, by a rapid movement, the British General might possess himself of the heights. The American detachments were constantly reinforced with chosen men; General Gates was placed on the opposite side of the Rariton river, in front of the British army, while Washington in the rear, and on the left behind Milestone Creek, was ready to effect a junction with Gates; but Clinton escaped the danger of this combination, by sagaciously directing his course toward Sandy Hook, and passing to the right instead of crossing the Rariton.

28th June.  
Action at  
Monmouth \*  
Court-house.

At Freehold court-house, in the county of Monmouth, Clinton perceived the enemy approaching to attack the baggage under the charge of General Knyphausen. He made a vigorous attack on their front line, strongly posted under the command of General Lee, and compelled him to retire. He then drove back the second line from a position equally strong, while Knyphausen repulsed parties of the enemy who attacked the baggage. Here the affair ought to have terminated; but the light troops, with ungovernable impetuosity, pursued the fugitives under Lee, till they were met and rallied by Washington; and, to prevent his men from being entirely cut off, Clinton was obliged to maintain his position, exposed to a severe cross-fire. Having effected this purpose, and seeing no hope of making an advantageous assault on the enemy, who were protected by defiles and

\* Washington's Letters, vol. ii. p. 283.

marshes, he withdrew from the field, to the same ground he had quitted in the morning. The loss on each side was nearly equal, amounting to about three hundred and sixty\*. The British Colonel Monckton was particularly lamented; during the heat of the engagement, and in the midst of a heavy cannonade, his brave followers dug his grave with their bayonets, and threw in the earth with their hands.

Having permitted his troops to repose till ten o'clock at night, the British General silently retreated to join General Knyphausen, and, without further impediment worthy of notice, embarked at Sandy Hook, and reached New York. His orders were to embark at Philadelphia; but, by disobeying these instructions, he saved both the army and navy from imminent danger. The Americans, by artificial colouring, made their partisans consider this action as a victory; but their attempt on the baggage was frustrated; and they did not venture to impede the further progress of the British General. While he was forming his embarkation at Sandy Hook, Washington appeared in sight; and Clinton waited two days to give him battle, but in vain.

General Lee was sternly reprimanded by Washington when they met in his late retreat. Subsequently to the engagement, he wrote some petulant letters in vindication of his own character, which placed him at the mercy of his superior officer. Jealousy had long subsisted between these commanders. Washington was accused, apparently without justice, of having rejoiced at, and even clandestinely prolonged, the term of Lee's captivity; and it is more than insinuated that Lee intended, in the late action, to cause the defeat of the army, for the purpose of disgracing his rival. A court-martial found him guilty of disobedience of orders, of making an unnecessary, disorderly, and shameful retreat, and of writing disrespectful letters

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Embarka-  
tion of the  
British army  
for New  
York.

5th July.

3rd July.

Disgrace of  
General Lee.

\* Frederick II. King of Prussia, on reading the account of the action, in General Lee's letter and General Clinton's dispatches, observed, that their narratives displayed more military knowledge than any which had been published during that war.

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to the Commander-in-Chief. While this sentence was under the consideration of Congress, he was wounded in a duel with one of Washington's aids-de-camp; and after the sentence was confirmed, his intemperance led him into a paper war with Mr. Drayton, and into scurrilous invectives against the government of America, and individuals composing it. His sentence amounted only to suspension for a year; but, in consequence of his own rashness, he never afterward attracted honourable notice; and those who but a year before had doubted of the safety of the American cause, unless upborne by him, now contentedly consigned him to oblivion, or branded his name with contempt and execration\*.

The Toulon  
squadron sails.

A squadron of twelve ships of the line and six frigates, and conveying a considerable body of land forces was equipped at Toulon, before the French announced to the British court their resolution to support the cause of America. This armament was prepared under the advice of Dr. Franklin, who had furnished the French government with a plan for surprising the British fleet and army, then in the Delaware†. Commanded by Count d'Estaing, it passed the Straights of Gibraltar the fifteenth of May; and a British squadron of equal force, under Admiral Byron, sailed from Plymouth as soon as undoubted intelligence determined the destination of the enemy. D'Estaing, not reaching

9th June.  
Pursued by a  
British fleet.

\* See Memoirs of General Lee. Washington's Letters, vol. ii. p. 293, 297, et seq. Ramsay, vol. ii. p. 83. Lee's character is accurately described by Stedman, vol. i. p. 227. His military knowledge was great, and he had been a soldier from his infancy: he had formerly possessed the rank of lieutenant-colonel in the British service, and had served all the last war in America and Portugal with reputation. His abilities were extensive, and his knowledge improved by an intimate acquaintance with every nation in Europe. His disposition was restless and romantic, and the possession of an easy fortune enabled him to indulge it. Having received some affront from the individuals who composed the British administration, he emigrated to America, on the commencement of the disturbances, and offered his services to Congress. His abilities and professional reputation being well known, his offers were accepted with joy, and he was honoured with the rank of major-general. He had been eminently useful in disciplining the American troops, and by his activity and skill had greatly contributed to the common cause. To these qualifications, however, the impartiality of history requires us to add, that he was a man of most abandoned principles; that he laughed at every attribute of the Deity, and turned into ridicule every tenet of religion.

† Franklin's Memoirs, vol. i. p. 325.

the Chesapeak till the day in which the British army embarked at Sandy Hook, pursued them to New York with an apparent design of entering the harbour. His ships were of the largest class then in use ; one of ninety, one of eighty, and six of seventy-four guns, manned with at least ten thousand men ; while the British Admiral had only six ships of sixty-four, three of fifty guns, and a few small frigates and sloops ; the ships were mostly old, and of bad construction ; out of repair ; their complement short, and the crew sickly. Beside the advantages accruing from the superior size of their ships and the greater weight of metal, the French could oppose eight hundred and fifty-four guns against six hundred and fourteen. In this exigency, the spirit of the British seamen was gloriously displayed. A thousand volunteers from the transports, beside many others, joined the fleet, and masters and mates of merchantmen tendered their services. D'Estaing, with his superior force, lay eleven days at anchor, outside the Hook ; the English sailors, actuated only by their impetuous courage, were eager to assail them ; but the Admiral judiciously restrained their inconsiderate zeal ; as, if he had yielded to it, he might have sacrificed the naval force, the transports and mercantile shipping, together with the army, which depended entirely on the safety and efficiency of the fleet. At length D'Estaing weighed anchor, and the English sailors joyfully expected an attack ; but they were disappointed ; he prudently forbore the attempt, and with the first fair wind stood to the southward as far as the mouth of the Delaware, and steered for Rhode Island\*.

Preparations made in the spring for expelling the British troops from this place, had been frustrated by Lieutenant-Colonel Campbell and Major Eyre, who destroyed the vessels, stores, and timber of the enemy, and rendered their artillery unserviceable ; and the Americans were not now ready to co-operate with the French admiral. Lord Howe having received intelli-

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5th July.  
The French  
arrive at the  
Chesapeak.  
11th July.

22nd.

Expedition  
against Rhode  
Island.

9th Aug.

\* Barrow's Life of Lord Howe, p. 104.

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13th.  
Partial en-  
gagement at  
sea.

16th.

9th August.  
The Ameri-  
cans repulsed  
at Rhode  
Island.

28th.

September.  
Lord Howe  
resigns the  
fleet to  
Gambier.Expedition to  
Buzzard's  
Bay.

gence of his destination, appeared off Rhode Island; but the two fleets, on the point of engaging, were dispersed by a storm. Several spirited conflicts took place between single ships, in which the superiority of the British marine was illustriously maintained by Captain Dawson in the *Renown*, and Commodore Hotham in the *Preston*; but by none more conspicuously than Captain Raynor in the *Isis*, of fifty guns, who engaged the *Cæsar* of seventy-four, compelled her to seek the harbour of Boston to refit, and was prevented from effecting a capture only by the injuries sustained by his vessel in her masts and rigging. The *Isis* had but one man killed, and fifteen wounded; the *Cæsar* fifty, including the captain, the celebrated Bougainville, who lost an arm.

Meanwhile the attack of Rhode Island was conducted by General Sullivan, at the head of ten thousand men, detached from the main army. At the approach of D'Estaing, the besieged dismantled and burnt seven British vessels, from thirty-two to sixteen guns, and concentrated the military force in the neighbourhood of Newport, which enabled Sullivan to land in the northern part of the island. The Americans formed their approaches with regularity; but the return of D'Estaing's fleet, shattered by a storm, to refit in Boston Harbour, damped the spirits of the besiegers; three thousand deserted, and General Sullivan, despairing of success, effected a judicious retreat, checking pursuit by well-fought skirmishes; he gained the main land in the darkness of night, just in time to escape from Sir Henry Clinton, who was, after being detained four days by contrary winds, advancing with four thousand men for the relief of Rhode Island.

The British fleet being reinforced and rendered superior to that of France, and Commodore Byron daily expected, Lord Howe returned to England, leaving the command to Admiral Gambier.

Sir Henry Clinton, disappointed in cutting off the retreat of the Americans, and prevented by stormy weather from completing an assault which he projected on New London, in Connecticut, detached,

while he proceeded to New York, General Grey on an expedition to Buzzard's Bay. This extensive and important service was performed with surprising celerity: the troops landed at six o'clock in the evening, and re-embarked by the ensuing noon, after destroying seventy sail of ships in Acushnet River, numerous storehouses, wharfs, and two large rope-walks at Bedford and Fairhaven, and a fort mounting eleven pieces of heavy cannon, with a magazine and barracks. At an island called Martha's Vineyard, they took or burned several vessels, destroyed a salt work, disarmed the inhabitants, and levied a contribution of ten thousand sheep and three hundred oxen, with which seasonable supply the fleet returned to New York.

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5th and 6th  
September.

Another expedition of still more importance was undertaken against Little Egg Harbour on the coast of New Jersey, a noted rendezvous for privateers, which commanded all vessels going into New York. To favour this exploit, the whole army was put in motion; and General Washington, being precluded by his situation from acting with his entire force, could only send partial detachments to interrupt and confine the operations of the foragers. One of these detachments occupied the villages of Old and New Tapaan; a company of horse, commanded by Lieutenant-Colonel Baylor, lying in the first, and a body of militia in the other. By a circuitous rout, and cutting off the outposts without noise, General Grey reached Old Tapaan while the whole party were asleep. The soldiers rushed in, having been deprived of their flints to prevent firing, put several to death with the bayonet, and took many prisoners; Baylor himself was slightly wounded and captured\*. Colonel Campbell was at the same time to have attacked the other village; but, from a delay of the boats intended to transport him, the Americans were alarmed and effected a retreat.

30th Sept.  
Surprise of  
Colonel  
Baylor.

When the squadron reached Egg Harbour, the 5th Oct.

\* The number of American privates was 104 — 15 were killed, 13 left wounded, and 59 were taken prisoners.

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Attack on Egg  
Harbour.  
6th.

country was alarmed, four privateers escaped, and the other vessels were conveyed up the river. Celerity being of the utmost importance, the troops were landed at Chesnut Neck, and destroyed ten prize vessels, which the enemy had previously scuttled; but prudence forbade them to prosecute an enterprize originally meditated against the Forks, where a grand deposit of prize goods was established. Re-embarking, they fell down the river, and destroyed three salt works, with some houses and stores belonging to proprietors of privateers, or persons distinguished as unrelenting persecutors of the loyalists. During this interval, a detachment under Captain Ferguson, guided by the information of deserters, surprised and cut to pieces a part of the legion of the Polish Count Pulaski; a few escaped, and only five were made prisoners. On the return of the squadron to New York, the British army was withdrawn from its forward position, and nothing further was undertaken in this quarter during the remainder of the winter.

15th.  
Pulaski's  
legion cut to  
pieces.

Expedition  
against  
Georgia.

Reduction of  
Savannah.

and the re-  
mainder of the  
province.

Soon after the departure of the commissioners, Sir Henry Clinton sent a detachment of three thousand five hundred men, under Colonel Campbell, to reduce Georgia, a province which was the last to accede to the American confederacy, and where the spirit of loyalty still maintained considerable force. Major-General Prevost, the Commander in East Florida, had long maintained predatory hostilities against this colony, and now received orders to co-operate with Campbell, who was supported by a fleet under Admiral Parker. A few days after the arrival of the force from New York, without waiting for intelligence from General Prevost, Savannah, the capital, was attacked, and, though defended by the American General, Robert Howe, with fifteen hundred men, and secured by many difficulties of approach, triumphantly carried, and a large booty acquired, almost without loss. Soon afterward, General Prevost arrived, and assumed the chief command; the remains of the provincial army were driven across the river into South Carolina; great part of the colonists took oaths of allegiance to

the King; rifle companies were formed, and prudent measures adopted for securing tranquillity and prosperity.

In other parts of the continent, the dissensions incident to civil war, aided by the native ferocity of the Indians, produced scenes of devastation and barbarity. The settlement of Wyoming was formed from the province of Connecticut, not without considerable opposition from Pennsylvania, which occasioned a civil war between the provinces. It was situated on the banks of the Susquehanna, in a most beautiful country, abounding in all the necessities of life, and in a temperate climate. To the rage of civil claims the disputes with Great Britain superadded a different motive of contention, and the loyalists and republicans persecuted each other with unremitted rancour. Many, driven from the settlement, on suspicion of being what their opponents termed tories, joined the Indians and meditated dreadful revenge. A force of sixteen hundred savages and Americans in disguise, headed by an Indian, Colonel Butler, and a half-Indian of extraordinary ferocity, named Brandt, lulling the fears of the inhabitants by treacherous assurances, suddenly possessed themselves of two forts, and massacred the garrisons. They next succeeded in luring the Commander-in-Chief, with four hundred men, into the woods, under pretence of a parley, and slew all but seventy. The conquerors then invested the principal fort; the Commandant, inquiring the terms of surrender, received an answer in two words,—“the hatchet,” and the bloody scalps of the late victims were sent in as an insult, or to excite terror. The Commandant was at last obliged to surrender at discretion; and the garrison of another fort called Wilkesborough, in hopes of obtaining mercy, yielded without resistance; but all were involved in unsparing slaughter; the militia were butchered with circumstances of refined cruelty; others were shut up in houses and burnt. Dwellings, plantations, and standing corn were indiscriminately given up to devastation; even the brute creation were maimed and mangled, and left

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July.  
Destruction  
of Wyoming.



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to expire in agonies. The fury of persecution reached its utmost height, devices of torment were exhausted, and numerous instances of parricide completed the scene of horror\*.

If the American whigs, as they styled themselves, cannot be proved to have commenced, they were never backward in retaliating these horrors. An expedition was undertaken under another Colonel Butler, from the upper parts of Pennsylvania, against the settlements of Unadilla and Anaquago; the inhabitants had the good fortune to escape the vengeance denounced against them as friends of the destroyers of Wyoming; but their farms, mills, and standing crops were, without mercy, destroyed and laid waste. A detachment from Virginia, under Colonel Clarke, after encountering many difficulties, invaded some settlements planted by Canadians, and compelled the inhabitants to take oaths of allegiance to the United States.

3rd July.  
Disappoint-  
ments of  
Byron.  
18th Oct.

1st. Nov.

3rd Nov.  
D'Estaing  
sails to the  
West Indies.

14th Sept.  
Capture of  
Saint Pierre  
and Mique-  
lon.

6th Sept.  
The French  
take Domi-  
nica.

The fleet under Commodore Byron was peculiarly unfortunate: the ships were scattered by a storm, and arrived singly or in small detachments at the American ports. When the Admiral had collected and refitted his squadron, he repaired to Boston for the purpose of blocking up D'Estaing; but tempestuous weather drove him again to sea, and compelled him to refit at Rhode Island. D'Estaing, whose squadron was completely repaired, availed himself of this opportunity to sail for the West Indies, which at the close of the year became the scene of active enterprise.

As soon as the intelligence of D'Estaing's arrival was authenticated, Vice-Admiral Montague dispatched Commodore Evans in the *Romney*, with a party of artillery and two hundred marines under Major Wemys, who took possession of St. Pierre and Miquelon, expelled the French, and destroyed their settlements.

The Marquis de Bouillé, Governor of Martinique, with equal facility made himself master of Dominica, but did not venture to prolong his stay in the island, or insist on such terms of capitulation as would occasion

\* See Annual Register, 1779, p. 7, et seq.

a protracted treaty, for fear of being intercepted by Admiral Barrington.

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Sir Henry Clinton dispatched from New York five thousand troops under Major-General Grant, escorted by a squadron of six ships under Commodore Hotham, who speedily joined Admiral Barrington near Sainte Lucie. The celerity of General Grant's movements entitles him to the highest credit. Scarcely had the ships dropped anchor in the Cul-de-Sac, when his troops were landed, and, to the surprise of the enemy, made themselves masters of the batteries on the height which commanded it; on the following day he captured the Morne, the Carenage, and the Vigée, when D'Estaing, with twelve ships of the line, a numerous train of frigates and American armed ships, and a military force of nine thousand men, made his appearance. He was, however, repulsed at the grand Cul-de-Sac, by Admiral Barrington, with only three ships of the line, three of fifty guns and some frigates, who, with a skill and bravery equally admirable, effectually protected the transports and saved the provisions, ammunition, and stores of the army. D'Estaing was not more successful in an assault by land, making, jointly with De Bouillé and Count Lovendahl, three attacks on the British force, commanded by Brigadier-General Meadows, at Vigée, in which they were repulsed with the loss of one thousand three hundred men, and finally put to flight\*. After an inaction of ten days he re-embarked, and left the island to its fate; a surrender was inevitable, and the British commander granted such liberal terms as entitled him to the gratitude of the enemy.

1778.  
3rd Nov.  
Attack on  
Sainte Lucie.  
13th Dec.

Ineffectual  
effort for its  
relief.

28th Dec.  
It is captured  
by the English.

Thus the first efforts of France, in support of her new ally, did not equal expectation; the northern provinces loudly murmured at being deserted by D'Estaing; the expedition against Rhode Island would not have

Indignation  
of the Ame-  
ricans against  
D'Estaing.

\* In this affair the French felt their military glory tarnished; in speaking to a flag sent to them to bury their dead, they threatened to take their revenge; and added, they would give notice when next they meant to attack. General Meadows coolly sent for answer, that it would be unnecessary, as they would always find him prepared. The fifth regiment having been particularly distinguished, the men were ordered to wear in their hats the white feathers left on the field by the French grenadiers.

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His proclamation to the  
Canadians.Washington  
refuses to co-  
operate in  
attacking  
Canada.Hatred of  
the Ameri-  
cans toward  
the French.

been undertaken, but in confidence of his co-operation; his abandonment was formally protested against as a traitorous dereliction of the common cause, derogatory to the honour of France, contrary to the intention of his Most Christian Majesty, destructive to the welfare of the United States, and highly injurious to the alliance between the two nations\*.

The Americans soon perceived that the French, in espousing their quarrel, sought only their own interest. D'Estaing, when about to sail for the West Indies, published a proclamation to the inhabitants of Canada, exhorting them to renew their obedience to their native sovereign; and General Washington, through the ascendancy of the French party in Congress, was strongly urged to undertake, in conjunction with a French force, the reduction of that dominion. The prudent General saw the danger of the attempt, and, instead of communicating his instructions to La Fayette, as directed by the committee for foreign affairs, wrote a long letter to Congress, forcibly displaying the impolicy of the project, and urging sound political and military reasons against its adoption†.

If the question of French or British alliance could have been fairly submitted to the people, divested of the declamations about independence, and merely viewed through the medium of comparative advantage, it can hardly be doubted that a great majority would have embraced with joy the liberal and the beneficial offers of the parent-state. All the art and force of their governors were insufficient to restrain within the desired limits the contempt and hatred of the lower class for their new allies. Riots occurred at Boston, and at Charlestown in South Carolina, between the French and American seamen; and, in fact, independently of any remains of British prejudice, no two races of men could be found less predisposed for a cordial association, than those whom artifice, intrigue, and treachery had thus combined in one cause‡.

\* Ramsay, vol. ii. p. 90.

† See Washington's Letters, vol. ii. p. 348.

‡ Sparks's Life of Washington, vol. i. p. 302. Memoirs of General Greene, vol. i. c. 5, p. 114.

## APPENDIX I.

### PRÉCIS of Letters relative to the Interference of France between Russia and the Porte.

*Lord Stormont, Ambassador at Paris, to the Secretary of State.*

March, 1773.

His long conversation with Duc D'Aiguillon on Tuesday, 30th March. The Duke read to him part of a dispatch from M. Durand, dated 3rd March, dwelt long on the ambitious views of Russia, her demands on the Porte, and her aiming to reign despotically in the North by regulating the government of Sweden, and by attacking that kingdom in concert with Denmark—that France could not tamely look on, and see her most ancient ally treated in that manner. Must support Sweden, if attacked, being bound thereto by every tie of interest and honour. Lord Stormont answered, that much depended on the mode of supporting Sweden, and that there was one particular mode Great Britain could not view with indifference—that the King wished to avoid whatever could disturb the good harmony, and his lordship hoped France would avoid the only *pierre d'achoppement* in the way. The Duke said we always backed our friendly professions with a declaration which insisted on France giving up her honour, by abandoning her old ally threatened with destruction, and that France could not do that. On Lord Stormont's perceiving that the Duke seemed to hope we would not carry things to extremity, his lordship explained fully and clearly, that a French fleet in the Baltic must draw a British one thither too—proposed that France might give other succours—that, if the two fleets went to the Baltic, the French fleet would be, in effect, no succour to Sweden. That neutrality on both sides would answer the same purpose. No, says the Duke, it will not answer one great purpose, (*viz.*) the saving the honour of France. Lord Stormont fully explained that he had never said that the British fleet that would follow the French fleet would attack it, but could not say what accidents would happen from two fleets in the same seas—though he left the Duke thoroughly persuaded of our being resolved on what we had often declared, but he feared France was gone

too far to recede. If they see us upon our guard, and either keep pace or get before them, will operate more strongly than any declaration.

(Private.)

Paris, 4th April.

A council had been held at Versailles, 28th March, in which the Duke declared that Sweden demanded and pressed for the promised succours; he was answered, that he might arrange matters with the comptrollers general: he replied, that Sweden would not accept a subsidy, but insisted on a *secours de force*. This was strongly objected to by some members, who were of opinion that other great powers would not look on such a step with indifference, and it might lead to a general war. The Duke persisted in his opinion, said that a fleet of fourteen sail might be equipped in a month; that England would not oppose that step, and Holland would assist. The French King was out of humour, and the members, after declaring their sentiments, said no more.—Duke's opinion prevailed, and orders were sent immediately to Brest, for arming twelve ships of the line and two frigates, on board which were to be seven thousand sailors. This was so much above the usual complement, that it was supposed to include officers and soldiers under the name of sailors. He was informed early that morning, the 4th of April, that the armament at Brest would not take place, but that an armament was ordered immediately at Toulon, for twelve or thirteen ships, capable of being ready very soon, under pretence of exercising the sailors. His informer expressly added, that the seven thousand sailors at Brest were not countermanded.

(Private.)

Paris, 7th April, 1772.

Duke, in the conference of the sixth instant, said, that Lord Stormont might consider the armament at Toulon as certain, and mention it as such to his court, that orders were actually sent; and then added, *ce sera une flotte d'évolution, comme nous en avons eu l'année passée*. Long reasonings on both sides—Lord Stormont, with a proper firmness, declared, that though he had not in the former discourse mentioned the Mediterranean, yet the argument he had before made use of applied full as strongly to the Mediterranean as to the Baltic; and on asking the Duke if he seriously meant that he should say the fleet was only meant for evolutions, he replied that he meant it, but that it was indeed possible *qu'elle passeroit au secours de la Suede*.

(Private.)

Paris, 21st April, 1773.

Lord Stormont had heard, that, in a council held the 12th of April, the Duke had given a candid and fair report of their conversations, and that the resolution of the council was unanimous, by which he hoped it was a moderate one. That towards the end of the week, which must be about the 15th or 16th, it was reported about Paris that the armament at Toulon was suspended or considerably reduced—this was confirmed on the Sunday evening, the 18th. On the 20th, he saw the Duke, who said, in a careless manner, *aussi avons nous donné ordre de suspendre l'armement de Toulon* ; he then said, that two frigates only would be sent to the Archipelago, and three ships of the line to Brest, to which department they belonged. The other nine ships and the frigates destined for the *flotte d'évolution* would be suspended till the latter end of the summer, when he hoped the fitting of it out would cause no sensation ; that M. de Guines had orders to give this intelligence. He added, that the sailors that were to have been raised and sent to Toulon were countermanded : that those actually arrived there, belonging to Provence and Languedoc, were ordered back ; those from Bourdeaux would be employed to navigate the three ships from Brest. On the same day, he told some of the foreign ministers that the armament was suspended till July.

27th April, 1773.

Lord Stormont had a conference with the Duke on the 26th April ; begun by saying,—so, my Lord, you are, I find, making a considerable armament. His lordship answered, that that armament had been ordered in consequence of the armament at Toulon, *et que leurs démarches regleroient les nôtres* ; this was thrown out in order to give him a reasonable expectation that the late change in their resolutions might produce a similar one in ours. Lord Stormont submits whether it may not be advisable, as they seem disposed gently to drop the design, to let them do it in their own way.

Paris, 30th April and 1st May, 1773.

Had a conference with the Duke, 30th April, to clear up the *mal entendu*. The result was, the Duke still declared that the armament was suspended ; that what he had said, and what Count de Guines had written, was in effect the same. That as they never armed any ship in the harbour, the saying that their ships would remain in the harbour was saying that they would not be armed.—He added, that he had seen the orders given by M. de Boyne, which were ex-

